

Title 67 WAC

BLIND, DEPARTMENT OF SERVICES FOR THE

Chapters

67-10	Public records—Disclosure.
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DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

Chapter 67-14 PUBLIC RECORDS—DISCLOSURE

67-14-010	Purpose. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-010, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-010.
67-14-020	Description of organization of the commission. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-020, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-020.
67-14-030	Location of established places. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-030, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-030.
67-14-040	Operations and procedures. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-040, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-040.
67-14-050	Public records available. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-050, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-050.
67-14-060	Public records officer. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-060, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-060.
67-14-070	Records index. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-070, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-070.
67-14-080	Office hours. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-080, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-080.
67-14-090	Requests for public records. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-090, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-090.
67-14-110	Copying fees. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-110, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-110.
67-14-120	Exemptions. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-120, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-120.

67-14-130	Review of denials of public records requests. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-130, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-130.
67-14-140	Protection of public records. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-140, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-140.
67-14-150	Consumer complaints and inquiries. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-150, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-150.
67-14-160	Adoption of forms. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-160, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-160.
67-14-170	Form 1—Request for inspection of records. [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-170, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-170.
67-14-180	Form 2—Request for photocopy of record(s). [Statutory Authority: Chapter 42.17 RCW. 82-16-095 (Order 82-04), § 67-14-180, filed 8/4/82.] Repealed by 84-01-040 (Order 83-06), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-10-180.

Chapter 67-15 COMMISSION—GENERAL ADMINISTRATION

67-15-010	Physical and informational accessibility. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-15-010, filed 8/4/82. Formerly WAC 67-30-210. 82-10-025 (Order 82-02), § 67-30-210, filed 4/30/82.] Repealed by 84-01-041 (Order 83-07), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-16-010.
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Chapter 67-20 VOCATIONAL REHABILITATION AND SERVICES FOR BLIND PERSONS

67-20-005	Definitions. [Statutory Authority: RCW 74.16.450. 83-01-080 (Order 82-08), § 67-20-005, filed 12/17/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-005, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-005.
67-20-010	Application for services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-010, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-010.
67-20-015	Initial interview. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-015, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-015.
67-20-020	Preliminary diagnostic study. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-020, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-020.
67-20-025	Eligibility for services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-

- 05), § 67-20-025, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-025.
- 67-20-030 Eligibility for services—Criteria. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-030, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-030.
- 67-20-050 Certification for decision of eligibility or ineligibility. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-050, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-050.
- 67-20-055 Notice to applicant. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-055, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-055.
- 67-20-060 Criteria for the severely handicapped. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-060, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-060.
- 67-20-070 Extended evaluation. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-070, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-070.
- 67-20-075 Extended evaluation—Eligibility criteria. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-075, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-075.
- 67-20-077 Certification for extended evaluation to determine rehabilitation potential. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-077, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-077.
- 67-20-080 Extended evaluation—Program. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-080, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-080.
- 67-20-085 Extended evaluation—Services provided. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-085, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-085.
- 67-20-090 Extended evaluation—Services not provided. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-090, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-090.
- 67-20-095 Extended evaluation—Duration and scope of services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-095, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-095.
- 67-20-100 Extended evaluation—Assessment. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-100, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-100.
- 67-20-105 Extended evaluation—Revision of program. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-105, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-105.
- 67-20-110 Extended evaluation—Termination. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-110, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-110.
- 67-20-120 Certification of termination of extended evaluation and notice. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-120, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-120.
- 67-20-180 Economic need. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-180, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-180.
- 67-20-185 Economic need—Financial statement required. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-185, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-185.
- 67-20-190 Economic need—Standards for determining. [Statutory Authority: RCW 74.16.450. 83-10-033 (Order 83-02), § 67-20-190, filed 4/29/83. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-190, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-190.
- 67-20-200 Economic need—Notification of decision. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-200, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-200.
- 67-20-255 Thorough diagnostic study. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-255, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-255.
- 67-20-260 Vocational rehabilitation program—Individual written rehabilitation program. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-260, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-260.
- 67-20-270 Vocational rehabilitation program—Participation of client. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-270, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-270.
- 67-20-275 Vocational rehabilitation program—Annual review. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-275, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-275.
- 67-20-280 Vocational rehabilitation program—Termination. [Statutory Authority: RCW 74.16.450. 83-01-080 (Order 82-08), § 67-20-280, filed 12/17/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-280, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-280.
- 67-20-281 Vocational rehabilitation program—Notification of rights. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-281, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-281.
- 67-20-300 Objective of vocational rehabilitation. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-300, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-300.
- 67-20-325 Services available from other agencies. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-325, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83.

	Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-325.		12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-396.
67-20-326	Services to civil employees of the United States. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-326, filed 8/4/82. Formerly WAC 67-30-170. 82-10-025 (Order 82-02), § 67-30-170, filed 4/30/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-326.	67-20-400	Vocational rehabilitation services—Maintenance. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-400, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-400.
67-20-350	Vocational rehabilitation services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-350, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-350.	67-20-404	Vocational rehabilitation services—Transportation. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-404, filed 8/4/82. Formerly WAC 67-30-185. Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-185, filed 2/24/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-404.
67-20-380	Vocational rehabilitation services—Counseling and guidance. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-380, filed 8/4/82. Formerly WAC 67-30-090. Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-090, filed 2/24/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-380.	67-20-408	Vocational rehabilitation services—Services to family members. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-408, filed 8/4/82. Formerly WAC 67-30-150. Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-150, filed 2/24/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-408.
67-20-384	Vocational rehabilitation services—Physical and mental restoration services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-384, filed 8/4/82. Formerly WAC 67-30-080. Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-080, filed 2/24/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-384.	67-20-412	Vocational rehabilitation services—Interpreter services for deaf persons. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-412, filed 8/4/82. Formerly WAC 67-30-125. Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-125, filed 2/24/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-412.
67-20-385	Vocational rehabilitation services—Physical and mental restoration. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-385, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-385.	67-20-416	Vocational rehabilitation services—Reader services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-416, filed 8/4/82. Formerly WAC 67-30-120. Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-120, filed 2/24/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-416.
67-20-388	Vocational rehabilitation services—Vocational and other training. [Statutory Authority: RCW 74.16.450. 83-10-033 (Order 83-02), § 67-20-388, filed 4/29/83. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-388, filed 8/4/82. Formerly WAC 67-30-100. Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-100, filed 2/24/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-388.	67-20-420	Vocational rehabilitation services—Rehabilitation teaching services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-420, filed 8/4/82. Formerly WAC 67-30-070. 82-10-025 (Order 82-02), § 67-30-070, filed 4/30/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-420.
67-20-390	Vocational rehabilitation services—Training—College. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-390, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-390.	67-20-428	Vocational rehabilitation services—Orientation and mobility services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-428, filed 8/4/82. Formerly WAC 67-30-130. 82-10-025 (Order 82-02), § 67-30-130, filed 4/30/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-428.
67-20-392	Vocational rehabilitation services provided—Training—Trade schools. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-392, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-392.	67-20-432	Vocational rehabilitation services—Telecommunications. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-432, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-432.
67-20-394	Vocational rehabilitation services provided—Training—Employment. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-394, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-394.	67-20-440	Vocational rehabilitation services—Placement. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-440, filed 8/4/82. Formerly WAC 67-30-050; 82-10-025 (Order 82-02), § 67-30-050, filed 4/30/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-440.
67-20-395	Vocational rehabilitation services—Training—College and trade school. [Statutory Authority: RCW 74.16.450. 83-10-033 (Order 83-02), § 67-20-395, filed 4/29/83. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-395, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-395.	67-20-444	Vocational rehabilitation services—Post-employment services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-444, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-444.
67-20-396	Vocational rehabilitation services—Training—Sheltered workshop. [Statutory Authority: RCW 74.16.450. 83-01-080 (Order 82-08), § 67-20-396, filed 12/17/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-396, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed	67-20-446	Vocational rehabilitation—Services to groups. [Statutory Authority: RCW 74.16.450. 83-01-080 (Order 82-08), § 67-20-446, filed 12/17/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096

	(Order 82-05), § 67-20-446, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-446.	83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-590.
67-20-448	Vocational rehabilitation services—Occupational licenses, tools, equipment, initial stocks and supplies. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-448, filed 8/4/82. Formerly WAC 67-30-180. Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-180, filed 2/24/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-448.	
67-20-452	Vocational rehabilitation services provided—Other goods and services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-452, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-452.	
67-20-500	Purchase of services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-500, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-500.	
67-20-505	Purchase of services—Selection criteria—Schools. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-505, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-505.	
67-20-510	Purchase of services—Selection criteria—Employment training facilities. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-510, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-510.	
67-20-525	Termination of services for reason of ineligibility. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-525, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-525.	
67-20-530	Termination of services for reasons other than ineligibility. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-530, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-530.	
67-20-540	Completion of vocational rehabilitation program. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-540, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-540.	
67-20-545	Notification of termination. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-545, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-545.	
67-20-550	Confidential information—Disclosure. [Statutory Authority: RCW 74.16.450. 83-01-080 (Order 82-08), § 67-20-550, filed 12/17/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-550, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-550.	
67-20-560	Administrative review. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-560, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-560.	
67-20-570	Fair hearing. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-570, filed 8/4/82.] Repealed by 84-01-042 (Order 83-08), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-25-570.	
67-20-590	Client records. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-096 (Order 82-05), § 67-20-590, filed 8/4/82.] Repealed by 84-01-042 (Order	
67-30-005	Population to be served. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-005, filed 2/24/82.] Repealed by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450.	
67-30-050	Placement. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-10-025 (Order 82-02), § 67-30-050, filed 4/30/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-440.	
67-30-070	Rehabilitation teaching services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-10-025 (Order 82-02), § 67-30-070, filed 4/30/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-420.	
67-30-080	Physical and mental restoration services. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-080, filed 2/24/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-384.	
67-30-090	Counseling and guidance. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-090, filed 2/24/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-380.	
67-30-100	Vocational training and other training. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-100, filed 2/24/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-388.	
67-30-120	Reader services. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-120, filed 2/24/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-416.	
67-30-125	Interpreter services for deaf persons. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-125, filed 2/24/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-412.	
67-30-130	Orientation and mobility services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-10-025 (Order 82-02), § 67-30-130, filed 4/30/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-428.	
67-30-150	Services to family members. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-150, filed 2/24/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-408.	
67-30-170	Services to civil employees of the United States. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-10-025 (Order 82-02), § 67-30-170, filed 4/30/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-326.	
67-30-180	Occupational licenses, tools, equipment, initial stocks and supplies. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-180, filed 2/24/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-448.	
67-30-185	Transportation. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-185, filed 2/24/82.] Decodified by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-20-404.	

67-30-210	Physical and informational accessibility. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-10-025 (Order 82-02), § 67-30-210, filed 4/30/82.] Decoded by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. Later promulgation, see WAC 67-15-010.		
67-30-310	Responsibilities of medical consultant. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-310, filed 2/24/82.] Repealed by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450.		
67-30-320	Other goods and services. [Statutory Authority: RCW 74.16.430(1) and 74.16.450. 82-06-022 (Order 82-01), § 67-30-320, filed 2/24/82.] Repealed by 82-16-096 (Order 82-05), filed 8/4/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450.		
Chapter 67-32			
VENDING FACILITY PROGRAM FOR THE BLIND			
67-32-010	Description—Purpose. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-010, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-010.	67-32-080	12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-075. Licensee or vendor evaluation form—Explanation. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-080, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-080.
67-32-020	Public information—How to apply. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-020, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-020.	67-32-090	Assignment to a vending facility—Agreement. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-090, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-090.
67-32-030	Terms defined. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-030, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-030.	67-32-100	Postemployment services. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-100, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-100.
67-32-040	Eligibility. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-040, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-040.	67-32-110	Discrimination prohibited. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-110, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-110.
67-32-045	Licensee an individual person—Not a corporate entity. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 80-06-053 (Order 80-03), § 67-32-045, filed 5/16/80.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-045.	67-32-120	State committee of blind vendors—Election—Representation—Meetings. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-120, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-120.
67-32-050	Licensee training. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-050, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-050.	67-32-130	Blind vendors committee—Purpose. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-130, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-130.
67-32-055	Licensee—Former or current out-of-state. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-055, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-055.	67-32-140	Vending machine income dispersed by commission. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-140, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-140.
67-32-060	Selecting a licensee or vendor to operate vending facility—Notice. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 80-06-053 (Order 80-03), § 67-32-060, filed 5/16/80; 79-08-016 (Order 79-01), § 67-32-060, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-060.	67-32-150	Federal vending machine income—Use as determined. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 81-07-001 (Order 81-06), § 67-32-150, filed 3/5/81; 80-06-053 (Order 80-03), § 67-32-150, filed 5/16/80; 79-08-016 (Order 79-01), § 67-32-150, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-150.
67-32-070	Selecting a licensee or vendor to operate vending facility—Procedure. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 80-06-053 (Order 80-03), § 67-32-070, filed 5/16/80; 79-08-016 (Order 79-01), § 67-32-070, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-070.	67-32-160	Business enterprises revolving fund. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-160, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-160.
67-32-075	Selection of a licensee or vendor to operate a vending facility during a leave of absence of a vendor. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 80-06-053 (Order 80-03), § 67-32-075, filed 5/16/80.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-075.	67-32-170	Business enterprises revolving fund—Uses. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-170, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-170.
		67-32-180	Access to program and financial information. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 81-03-048 (Order 81-05), § 67-32-180, filed 1/19/81; 79-08-016 (Order 79-01), § 67-32-180, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-180.
		67-32-190	Commission responsibility—Development of new vending facility locations. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-190, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-190.
		67-32-200	Commission responsibility—Architecture and construction. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-200, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-200.

- 09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-200.
- 67-32-210 Commission responsibility—Initial equipment—Initial stock and supplies. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-210, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-210.
- 67-32-220 Title to initial equipment—Right to initial stock and cash. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-220, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-220.
- 67-32-230 Commission responsibility—Maintained facility. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-230, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-230.
- 67-32-240 Commission responsibility—Vendor-owned equipment. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-240, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-240.
- 67-32-250 Commission responsibility—Advance training. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-250, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-250.
- 67-32-260 Commission responsibility—Opening for business. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-260, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-260.
- 67-32-270 Commission responsibility—Consultation. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-270, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-270.
- 67-32-280 Commission responsibility—Inspection—Required contacts. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-280, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-280.
- 67-32-290 Commission responsibility—Contact with property management. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-290, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-290.
- 67-32-300 Commission responsibility—Negotiation with vending machine companies. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-300, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-300.
- 67-32-310 Public liability insurance. [Statutory Authority: RCW 74.16.450. 83-01-080 (Order 82-08), § 67-32-310, filed 12/17/82. Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 81-07-001 (Order 81-06), § 67-32-310, filed 3/5/81; 79-08-016 (Order 79-01), § 67-32-310, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-310.
- 67-32-320 Vendor responsibility—Independent—Not state employee. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-320, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-320.
- 67-32-330 Vendor responsibility—Applicable federal and state laws, rules and regulations. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-330, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-330.
- 67-32-340 Vendor responsibility—Vending facility management—Nondiscrimination. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-340, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-340.
- 67-32-350 Vendor responsibility—Maintaining equipment. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-350, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-350.
- 67-32-360 Vendor responsibility—Miscellaneous equipment—Initial stock and supplies—Minimum operating cash. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-360, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-360.
- 67-32-370 Vendor responsibility—Cooperate. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-370, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-370.
- 67-32-380 Vendor responsibility—Reports. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-380, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-380.
- 67-32-390 Vendor responsibility—Accounts payable. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-390, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-390.
- 67-32-400 Vendor responsibility—Employment of staff. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-400, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-400.
- 67-32-410 Vendor responsibility—Rebates. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-410, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-410.
- 67-32-415 Leave of absence for prolonged illness or physical incapacity. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 80-06-053 (Order 80-03), § 67-32-415, filed 5/16/80.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-415.
- 67-32-420 Termination of license—Termination of agreement for cause only. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 80-06-053 (Order 80-03), § 67-32-420, filed 5/16/80; 79-08-016 (Order 79-01), § 67-32-420, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-420.
- 67-32-425 Termination of vendor's agreement—Not affecting licensure. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 80-06-053 (Order 80-03), § 67-32-425, filed 5/16/80.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-425.
- 67-32-430 License suspension prior to evidentiary hearing. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-430, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-430.
- 67-32-440 Suspension or termination of license—Other reasons. [Statutory Authority: RCW 74.16.430(1), 74.16.450,

- and 74.17.040. 79-08-016 (Order 79-01), § 67-32-440, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-440.
- 67-32-450 Termination of license—Disuse. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 80-06-053 (Order 80-03), § 67-32-450, filed 5/16/80; 79-08-016 (Order 79-01), § 67-32-450, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-450.
- 67-32-460 Relicensing. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-460, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-460.
- 67-32-470 Administrative review. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-470, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-470.
- 67-32-480 Administrative review—Who—When—Where. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 80-06-053 (Order 80-03), § 67-32-480, filed 5/16/80; 79-08-016 (Order 79-01), § 67-32-480, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-480.
- 67-32-490 Full evidentiary hearing. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-490, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-490.
- 67-32-500 Full evidentiary hearing—Right to information. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-500, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-500.
- 67-32-510 Full evidentiary hearing—Transcript. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-510, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-510.
- 67-32-520 Full evidentiary hearing—Decision in writing. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 79-08-016 (Order 79-01), § 67-32-520, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-520.
- 67-32-525 Hearing officer—Certain purposes. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 80-14-068 (Order 80-04), § 67-32-525, filed 10/1/80.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-525.
- 67-32-910 Agreement. [Statutory Authority: RCW 74.16.430(1), 74.16.450, and 74.17.040. 81-07-001 (Order 81-06), § 67-32-910, filed 3/5/81; 79-08-016 (Order 79-01), § 67-32-910, filed 7/10/79.] Repealed by 84-01-043 (Order 83-09), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-35-910.

Chapter 67-40

PREVENTION OF BLINDNESS

- 67-40-010 Purpose—Description. [Statutory Authority: RCW 74.16.450. 83-01-069 (Order 82-08), § 67-40-010, filed 12/15/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-097 (Order 82-06), § 67-40-010, filed 8/4/82.] Repealed by 84-14-034 (Order 84-02), filed 6/28/84. Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180]. Later promulgation, see chapter 67-45 WAC.
- 67-40-015 Prevention—Staff ophthalmologist. [Statutory Authority: RCW 74.16.450. 83-01-069 (Order 82-08), § 67-40-015, filed 12/15/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-097 (Order 82-06), § 67-40-015, filed 8/4/82.] Repealed by 84-14-034 (Order 84-02), filed 6/28/84. Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180].

- 67-40-016 Prevention—Eye physicians advisory committee. [Statutory Authority: RCW 74.16.450. 83-01-069 (Order 82-08), § 67-40-016, filed 12/15/82. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-097 (Order 82-06), § 67-40-016, filed 8/4/82.] Repealed by 84-14-034 (Order 84-02), filed 6/28/84. Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180].
- 67-40-020 Prevention—Eligibility. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-097 (Order 82-06), § 67-40-020, filed 8/4/82.] Repealed by 83-01-069 (Order 82-08), filed 12/15/82. Statutory Authority: RCW 74.16.450.
- 67-40-021 Cooperative agreement with department of social and health services. [Statutory Authority: RCW 74.16.450. 83-01-069 (Order 82-08), § 67-40-021, filed 12/15/82.] Repealed by 84-14-034 (Order 84-02), filed 6/28/84. Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180].
- 67-40-022 Prevention—Financial eligibility. [Statutory Authority: RCW 74.16.450. 83-10-035 (Order 83-04), § 67-40-022, filed 4/29/83.] Repealed by 84-14-034 (Order 84-02), filed 6/28/84. Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180].
- 67-40-025 Prevention—Medical eligibility. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-097 (Order 82-06), § 67-40-025, filed 8/4/82.] Repealed by 83-01-069 (Order 82-08), filed 12/15/82. Statutory Authority: RCW 74.16.450.
- 67-40-026 Prevention—Medical eligibility. [Statutory Authority: RCW 74.16.450. 83-10-035 (Order 83-04), § 67-40-026, filed 4/29/83.] Repealed by 84-14-034 (Order 84-02), filed 6/28/84. Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180].
- 67-40-050 Prevention—Services provided. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-097 (Order 82-06), § 67-40-050, filed 8/4/82.] Repealed by 83-01-069 (Order 82-08), filed 12/15/82. Statutory Authority: RCW 74.16.450.
- 67-40-051 Prevention—Services provided. [Statutory Authority: RCW 74.16.450. 83-10-035 (Order 83-04), § 67-40-051, filed 4/29/83.] Repealed by 84-14-034 (Order 84-02), filed 6/28/84. Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180].
- 67-40-060 Prevention—Services not provided. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-097 (Order 82-06), § 67-40-060, filed 8/4/82.] Repealed by 83-01-069 (Order 82-08), filed 12/15/82. Statutory Authority: RCW 74.16.450.
- 67-40-061 Services not provided. [Statutory Authority: RCW 74.16.450. 83-10-035 (Order 83-04), § 67-40-061, filed 4/29/83.] Repealed by 84-14-034 (Order 84-02), filed 6/28/84. Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180].
- 67-40-070 Prevention—Authorizations and billing. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-097 (Order 82-06), § 67-40-070, filed 8/4/82.] Repealed by 83-01-069 (Order 82-08), filed 12/15/82. Statutory Authority: RCW 74.16.450.
- 67-40-090 Prevention—Appeal and fair hearing. [Statutory Authority: RCW 74.16.450. 83-10-035 (Order 83-04), § 67-40-090, filed 4/29/83. Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-097 (Order 82-06), § 67-40-090, filed 8/4/82.] Repealed by 84-14-034 (Order 84-02), filed 6/28/84. Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180].
- 67-40-440 Prevention of blindness. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-097 (Order 82-06), § 67-40-440, filed 8/4/82.] Repealed by 83-01-069 (Order 82-08), filed 12/15/82. Statutory Authority: RCW 74.16.450.

Chapter 67-45

PREVENTION OF BLINDNESS PROGRAM

- 67-45-010 Purpose and definition. [Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180]. 84-14-034 (Order 84-02), § 67-45-010, filed 6/28/84. Formerly chapter 67-40 WAC.] Repealed by 85-18-047 (Order 85-11), filed 8/30/85. Statutory Authority: Chapter 74.18 RCW.
- 67-45-020 Services to be provided. [Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180]. 84-14-034 (Order 84-02), § 67-45-020, filed 6/28/84.] Repealed by 85-18-047 (Order 85-11), filed 8/30/85. Statutory Authority: Chapter 74.18 RCW.
- 67-45-030 Referral for services. [Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180]. 84-14-034 (Order 84-02), § 67-

- 45-030, filed 6/28/84.] Repealed by 85-18-047 (Order 85-11), filed 8/30/85. Statutory Authority: Chapter 74.18 RCW.
- 67-45-040 Eligibility. [Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180]. 84-14-034 (Order 84-02), § 67-45-040, filed 6/28/84.] Repealed by 85-18-047 (Order 85-11), filed 8/30/85. Statutory Authority: Chapter 74.18 RCW.
- 67-45-045 Order of selection. [Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180]. 84-14-034 (Order 84-02), § 67-45-045, filed 6/28/84.] Repealed by 85-18-047 (Order 85-11), filed 8/30/85. Statutory Authority: Chapter 74.18 RCW.
- 67-45-050 Provision of services. [Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180]. 84-14-034 (Order 84-02), § 67-45-050, filed 6/28/84.] Repealed by 85-18-047 (Order 85-11), filed 8/30/85. Statutory Authority: Chapter 74.18 RCW.
- 67-45-060 Termination of services. [Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180]. 84-14-034 (Order 84-02), § 67-45-060, filed 6/28/84.] Repealed by 85-18-047 (Order 85-11), filed 8/30/85. Statutory Authority: Chapter 74.18 RCW.
- 67-45-070 Administrative review. [Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180]. 84-14-034 (Order 84-02), § 67-45-070, filed 6/28/84.] Repealed by 85-18-047 (Order 85-11), filed 8/30/85. Statutory Authority: Chapter 74.18 RCW.
- 67-45-075 Fair hearing. [Statutory Authority: 1983 c 194 § 18 [RCW 74.18.180]. 84-14-034 (Order 84-02), § 67-45-075, filed 6/28/84.] Repealed by 85-18-047 (Order 85-11), filed 8/30/85. Statutory Authority: Chapter 74.18 RCW.

Chapter 67-50 CHILD AND FAMILY SERVICES

- 67-50-010 Purpose and description. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-098 (Order 82-07), § 67-50-010, filed 8/4/82.] Repealed by 84-01-044 (Order 83-10), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-55-010.
- 67-50-020 Referral for services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-098 (Order 82-07), § 67-50-020, filed 8/4/82.] Repealed by 84-01-044 (Order 83-10), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-55-020.
- 67-50-030 Initial interview. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-098 (Order 82-07), § 67-50-030, filed 8/4/82.] Repealed by 84-01-044 (Order 83-10), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-55-030.
- 67-50-035 Eligibility for services. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-098 (Order 82-07), § 67-50-035, filed 8/4/82.] Repealed by 84-01-044 (Order 83-10), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-55-035.
- 67-50-040 Eligibility criteria. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-098 (Order 82-07), § 67-50-040, filed 8/4/82.] Repealed by 84-01-044 (Order 83-10), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-55-040.
- 67-50-050 Child and family services—Services provided. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-098 (Order 82-07), § 67-50-050, filed 8/4/82.] Repealed by 84-01-044 (Order 83-10), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-55-050.
- 67-50-060 Termination. [Statutory Authority: Chapter 74.16 RCW and RCW 74.16.450. 82-16-098 (Order 82-07), § 67-50-060, filed 8/4/82.] Repealed by 84-01-044 (Order 83-10), filed 12/15/83. Statutory Authority: 1983 c 194 § 18. Later promulgation, see WAC 67-55-060.

Chapter 67-10 WAC PUBLIC RECORDS—DISCLOSURE

WAC

- 67-10-010 Purpose.
- 67-10-020 Description of organization of the department.
- 67-10-030 Location of established places.

- 67-10-040 Operations and procedures.
- 67-10-050 Public records available.
- 67-10-060 Public records officer.
- 67-10-070 Records index.
- 67-10-080 Office hours.
- 67-10-090 Requests for public records.
- 67-10-110 Copying fees.
- 67-10-120 Exemptions.
- 67-10-130 Review of denials of public records requests.
- 67-10-140 Protection of public records.
- 67-10-150 Consumer complaints and inquiries.
- 67-10-160 Adoption of forms.
- 67-10-170 Form 1—Request for inspection of records.
- 67-10-180 Form 2—Request for photocopy of record(s).

WAC 67-10-010 Purpose. The department of services for the blind is an agency of state government created by chapter 194, Laws of 1983. It shall hereafter in this chapter be referred to as the "department."

[Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-010, filed 12/15/83. Formally WAC 67-14-010.]

WAC 67-10-020 Description of organization of the department. (1) Central organization. The chief executive officer of the department is the director. The director shall be appointed by the governor, with the consent of the senate.

(2) Advisory council. The advisory council consists of at least six members of which a majority shall be blind. The members are appointed by the governor. Terms are for a period of three years. Advisory council members elect one of their members as chair for a term of one year.

(3) Organization. (a) The vocational rehabilitation program is operated statewide with one supervisor. (b) The business enterprise program is operated under one supervisor. (c) The agency operated Orientation and Training Center at 3411 S. Alaska St., Seattle is operated under one supervisor. (d) The statewide child and family services program is operated under one supervisor. (e) The independent living program is operated under one supervisor.

[Statutory Authority: Chapter 74.18 RCW. 88-09-006 (Order 88-1), § 67-10-020, filed 4/11/88. Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-020, filed 12/15/83. Formally WAC 67-14-020.]

WAC 67-10-030 Location of established places. Location of established places where information about the department may be obtained and department's public records inspected and copied.

(1) Olympia office. The office of the director and the administrative office of the department is located at 521 East Legion Way, Olympia, WA 98504.

(2) Seattle office. The main field office is located at 3411 South Alaska St., Seattle, WA 98118.

(3) Field offices. (a) General information about the department may also be obtained at its service locations or major field offices at the following places: 521 East Legion Way, Olympia, WA 98504; W. 55 Mission, Suite 3, Spokane, WA 99201; 500 West 8th, Suite 18, Vancouver, WA 98666; 1600 West Perry, Bldg. 1 Suite D, Yakima, WA 98901; 1201 South Proctor, Tacoma, WA 98405. (b) Information about the independent living program, and child and family services can be obtained at the Seattle office, 3411 South Alaska St., Seattle, WA 98118.

[Statutory Authority: Chapter 74.18 RCW. 88-09-006 (Order 88-1), § 67-10-030, filed 4/11/88. Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-030, filed 12/15/83. Formally WAC 67-14-030.]

WAC 67-10-040 Operations and procedures. The general course and method of channeling and determining the operations of the department and the nature of requirements of all formal and informal procedures connected therewith are summarized in the following subsections:

(1) Administrative services. This section manages all personnel, training, budget, data processing, and properties management for the department. It prepares budgets and reports, collects funds, certifies and pays invoices. It is responsible for state and federal reports. It provides staff to the advisory council members. Many of the functions of the administrative services section are subject to Washington Administrative Code provisions as authorized by law to be adopted by other departments and enforced by the department.

(2) Field services. This section provides services to all of the department's clients and keeps records of these services.

(a) Vocational rehabilitation. This unit provides a wide array of services to individuals whose disability causes a substantial handicap to employment where there is a reasonable expectation that services will provide a benefit in terms of employability. The primary source of funds for this program is federal, and it is subject to federal regulation.

(b) Business enterprise program. This program assists in the development and maintenance of vending operations operated by blind individuals in public buildings. It is funded by a combination of state and federal funds and is subject to federal regulations. A restricted fund generated by vending machine revenue also funds business enterprise program activities.

(c) Independent living program. This program provides training, equipment, and goods and services needed by blind persons to achieve or maintain their independence. It is funded by a combination of grant funds from the federal government and from state funds.

(d) Child and family services. This program serves blind children and their families. Caseworkers work directly with children and parents. In addition, school personnel and other service providers are assisted in working with blind children by consultation and training. This program is state funded.

(e) Orientation and training center. This program is operated at 3411 South Alaska St., Seattle, WA 98118. It provides training in alternative skills, personal adjustment, and assessment for full-time blind students. Students live in a privately owned residential facility located nearby.

(f) Other programs. The department may establish such additional programs as the department deems necessary to carry out its legislative purpose.

[Statutory Authority: Chapter 74.18 RCW. 88-09-006 (Order 88-1), § 67-10-040, filed 4/11/88. Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-040, filed 12/15/83. Formally WAC 67-14-040.]

WAC 67-10-050 Public records available. Public records are available for public inspection and copying pursuant to these rules except as otherwise provided by RCW 42.17.310 and these rules.

[Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-050, filed 12/15/83. Formally WAC 67-14-050.]

WAC 67-10-060 Public records officer. The public records officer for the department shall be the deputy director,

as designated by the director, for all records maintained by the department whether located at the central office thereof at Olympia, Washington, or at such other offices throughout the state maintained by the department. The public records officer shall be located at such central office. The public records officer shall be responsible for implementation of this chapter regarding release of public records, coordinating the staff of the department in this regard, generally insuring compliance by the staff with the public records disclosure requirements of RCW 42.17.250 through 42.17.320, and maintaining the records index of the department as required.

[Statutory Authority: Chapter 74.18 RCW. 88-09-006 (Order 88-1), § 67-10-060, filed 4/11/88. Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-060, filed 12/15/83. Formally WAC 67-14-060.]

WAC 67-10-070 Records index. The department has available to all persons a current index which provides identifying information as to public records received, issued, adopted or promulgated since its inception. The current index adopted by the department shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection.

[Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-070, filed 12/15/83. Formally WAC 67-14-070.]

WAC 67-10-080 Office hours. Public records shall be available for inspection and copying during the customary office hours of the department. For purposes of this chapter, the customary office hours shall be from 8:00 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays.

[Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-080, filed 12/15/83. Formally WAC 67-14-080.]

WAC 67-10-090 Requests for public records. In accordance with requirements of RCW 42.17.250 through 42.17.320 that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:

(1) A request shall be made in writing upon a form prescribed by the department which shall be available at any office of the department during customary office hours. The request shall include the following information:

- (a) The name of the person requesting the records;
- (b) The time of day and calendar date on which the request was made;
- (c) The nature of the request;
- (d) If the matter requested is referenced within the current index maintained by the records officer, a reference to the requested record as it is described in such current index;
- (e) If the requested matter is not identifiable by reference to the current index, an appropriate description of the record requested.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer or staff member to whom the request is made to assist the member of the public in appropriately identifying the public record requested.

[Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-090, filed 12/15/83. Formally WAC 67-14-090.]

WAC 67-10-110 Copying fees. No fee shall be charged for the inspection of public records. The department will charge a per-page fee for providing copies of public records. If copies of photographs are requested, a fee will be charged for the duplication of such photographs. If copies of taped or brailled material are requested, fees will be charged for the duplication of such materials. Copying fees will be set at amounts equal to the actual costs to the department incident to such copying, including costs of materials, machinery, and personnel. The fees charged will be reviewed periodically to assure their accuracy, and shall be modified accordingly.

[Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-110, filed 12/15/83. Formally WAC 67-14-110.]

WAC 67-10-120 Exemptions. (1) The department reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 67-10-090 is exempt under the provisions of RCW 42.17.310 and/or such other laws as may be deemed applicable.

(2) In addition, pursuant to RCW 42.17.260 the department reserves the right to delete identifying details when it makes available or publishes any public record in any cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy. The public records officer will fully justify such deletion in writing.

(3) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld.

[Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-120, filed 12/15/83. Formally WAC 67-14-120.]

WAC 67-10-130 Review of denials of public records requests. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted, or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the public records officer or other staff member denying the request shall refer it to the director. The director shall immediately consider the matter and either affirm or reverse such denial or call a special meeting of the members of the staff necessary to properly consider the matter and/or request a legal review thereof by the assistant attorney general representing the department. In any case, the request shall be returned with a final decision, within five business days following the original denial.

(3) Administrative remedies shall not be considered exhausted until the director has returned the petition with a decision or until the close of the fifth business day following denial of inspection, whichever occurs first.

[Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-130, filed 12/15/83. Formally WAC 67-14-130.]

[Title 67 WAC—p. 10]

WAC 67-10-140 Protection of public records. The public records officer shall to the extent practicable insure that records requested are not removed from the premises nor portions thereof removed by members of the public.

[Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-140, filed 12/15/83. Formally WAC 67-14-140.]

WAC 67-10-150 Consumer complaints and inquiries. Unless a consumer complainant or inquirer specifically provides to the contrary, the public records officer or other members of the staff are authorized when deemed appropriate to forward a copy of the letter or other writings pertinent to the complaint or inquiry to the firm or person which is the subject of the complaint or to any firm or person who may provide assistance relative to the complaint or inquiry.

[Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-150, filed 12/15/83. Formally WAC 67-14-150.]

WAC 67-10-160 Adoption of forms. The department hereby adopts for use by all persons requesting inspection and/or copies of records the forms attached hereto entitled "request for inspection of records" and "request for photocopy of records."

[Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-160, filed 12/15/83. Formally WAC 67-14-160.]

WAC 67-10-170 Form 1—Request for inspection of records.

Request number
 Date requested
 Date provided
 (For office use only)

WASHINGTON DEPARTMENT OF SERVICES FOR THE BLIND Request for Inspection of Records

The information requested in Blocks 1 through 6 is not mandatory, however, the completion of these blocks will enable this office to expedite your request and contact you should the record you seek not be immediately available.

 1. Name 4. Phone number

 2. Address 5. Representing (if applicable)

 3. Zip code 6. If urgent - date needed

Below please state what record(s) you wish to inspect and be as specific as possible. If you are uncertain as to the type or identification of specific record or records we will assist you.

I certify that the information requested from the above record(s) will not be part of a list of individuals to be used for commercial purposes.

Signed
 Date

(2007 Ed.)

[Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-170, filed 12/15/83. Formally WAC 67-14-170.]

WAC 67-10-180 Form 2—Request for photocopy of record(s).

Request number

Date requested

Date provided

(Office use only)

WASHINGTON DEPARTMENT OF SERVICES FOR THE BLIND
Request for Photocopy of Record(s)

1. Name	4. Phone number
2. Address	5. Representing (if applicable)
3. Zip code	6. If urgent - date needed

Please state below the pages of the documents or records you wish to have photocopied. A reasonable standard fee for each page or record will be charged for this service.

I wish the following page(s) of documents or records to be photocopied and made available for my possession, I agree to pay a reasonable standard charge for this service.

I certify that the photocopies of records received as listed above will not be part of a list of individuals to be used for commercial purposes.

Signed
Date

Office use only

Number of pages copied @ per copy.
Total charge Amount paid

[Statutory Authority: 1983 c 194 § 18. 84-01-040 (Order 83-06), § 67-10-180, filed 12/15/83. Formally WAC 67-14-180.]

Chapter 67-16 WAC

DEPARTMENT—GENERAL ADMINISTRATION

WAC

67-16-010	Physical and informational accessibility.
67-16-020	Purpose and definition.
67-16-030	Background check process.
67-16-040	Department of services for the blind—Background check requirements for employees, applicants, volunteers and student interns.

WAC 67-16-010 Physical and informational accessibility. (1) No otherwise qualified handicapped individual shall, solely by reason of handicap, be excluded from participation, be denied benefits of, or be subjected to discrimination under any department-provided program or activity.

(2) No handicapped person will be subjected to discrimination because department-provided facilities are inaccessible to or unusable by handicapped persons. Any construction or alteration to any present or future locations or facility, on behalf of or for the use of the department, will be readily accessible to and useable by handicapped persons.

(2007 Ed.)

(3) No person shall be denied access to department information, records or materials solely on the basis of his/her inability to utilize such information, records or materials in a customary manner.

[Statutory Authority: 1983 c 194 § 18. 84-01-041 (Order 83-07), § 67-16-010, filed 12/15/83. Formally WAC 67-15-010.]

WAC 67-16-020 Purpose and definition. The authority for conducting background checks on contractors and service providers is established in chapter 74.18 RCW. The purpose for background checks is to ensure the suitability, character and competence of contractors and service providers to work with clients with a visual disability defined in WAC 67-75-040 (3)(a).

[Statutory Authority: Chapter 74.18 RCW. 04-12-029, § 67-16-020, filed 5/26/04, effective 7/1/04.]

WAC 67-16-030 Background check process. (1) The director of the department of services for the blind (DSB) shall investigate the conviction records, pending charges and disciplinary board final decisions for contractors and service providers who will or may have unsupervised access to DSB clients.

(2) The investigation shall consist of a background check as allowed under the Washington State Criminal Records Privacy Act, RCW 10.97.050; the Washington state patrol criminal identification system under RCW 43.43.832 through 43.43.834, and the Federal Bureau of Investigation. The background check shall include a fingerprint check using a complete Washington state criminal identification fingerprint card.

(3) The director may waive the requirement for a background check if the contractor or service provider has been cleared in a background check within the previous two years.

(4) When necessary, the director may engage a service provider or contractor on a conditional basis, pending completion of the background check.

(5) The investigation shall include an examination of state and national criminal identification data. The director shall use the information solely for the purpose of determining the character, suitability and competence of the individual contractor or service provider to work with the department of services for the blind clients.

(6) The director shall provide the results of the background check in writing to the contractor or service provider within ten working days from receipt of the finding.

(7) The office of the director shall maintain confidential records of all background check information. Such information shall be limited to only those individuals processing the information within the department.

(8) The fingerprint criminal history records checks will be at the expense of the contractor or service provider.

(9) Current contractors or service providers for whom disqualifying crimes are discovered in the background check process will be notified in writing within ten working days from receipt of the finding. The written notification shall include notice of termination of the contract or service provider agreement and give the individual the right to request a review by the director of the department of services for the blind.

[Statutory Authority: Chapter 74.18 RCW. 04-12-029, § 67-16-030, filed 5/26/04, effective 7/1/04.]

WAC 67-16-040 Department of services for the blind—Background check requirements for employees, applicants, volunteers and student interns. (1) The executive director of the department of services for the blind shall conduct background checks on all employees in covered positions and applicants under final consideration for a covered position. A covered position is one in which a person will or may have unsupervised access to vulnerable clients or potential clients with vision disability. These clients or potential clients may also have other disabilities, such as developmental disabilities or mental health disabilities. Employees and applicants shall authorize the executive director of the department of services for the blind to conduct a background check.

(2) The requirement for background checks shall include the following:

(a) Current employees as of July 1, 2004.

(b) Any employee seeking a covered position because of a reduction in force, reallocation, transfer, promotion or demotion.

(c) Any applicant prior to appointment into a covered position, except when appointment is made on a conditional basis under subsection (7)b).

(3) A background check will be conducted on the final preferred candidate prior to appointment.

(4) The executive director of the department of services for the blind shall use the results of a background check solely to determine the character, competence and suitability of a person for a covered position. The background check information shall consist of:

(a) A fingerprint check using a complete Washington State criminal identification fingerprint card.

(b) Conviction records, pending charges, and disciplinary board final decisions (if applicable).

(c) Evidence that substantiates or mitigates convictions, pending charges, and disciplinary board final decisions including, but not limited to:

(i) The employee or applicant's background check authorization and disclosure form;

(ii) The employee or applicant's age at the time of conviction, charge, or disciplinary board final decision;

(iii) The nature and severity of the conviction, charge, or disciplinary board final decision;

(iv) The length of time since the conviction, charge, or disciplinary board final decisions;

(v) The nature and number of previous offenses; and

(vi) The relationship between the nature of the conviction, pending charge, or disciplinary board final decision and the duties of the employee or applicant.

(5) A permanent employee with a background check disqualification may voluntarily resign, or be subject to disciplinary action for any of the causes listed in WAC 356-34-010.

(6) Interim measures that may be used while the executive director explores availability of actions (not to exceed 30 calendar days except in cases where there are investigations of pending charges):

(a) Voluntary use of accrued vacation, exchange, and/or compensatory time.

(b) Authorized leave without pay, if there is no paid leave available, or if the employee chooses not to use paid leave.

When considering the above actions, the agency will consider the least restrictive means necessary to prevent unsupervised access.

(7) The executive director of the department of services for the blind shall:

(a) Notify employees and applicants that a background check is required for covered positions;

(b) Develop procedures specifying when employees and applicants may be hired on a conditional basis pending the results of a background check; and

(c) Develop policies and procedures pertaining to background checks;

(d) Provide the employee/applicant with the results of the background check in writing;

(e) Notify employees of their promotional register rights when they have been separated from their position, either voluntarily or involuntarily due to a background disqualification.

(8) Failure to authorize the executive director of the department of services for the blind to conduct a background check disqualifies an employee or applicant from consideration for any covered position including an employee's current covered position.

(9) An applicant for a covered position who is denied employment due to a disqualifying finding, shall be given the right to request a review of the decision by the executive director.

(a) Requests for review must be in writing and received by the executive director within fifteen calendar days of the postmark date of the notification or date of hand-delivery.

(10) Permanent employees may appeal to the personnel appeals board in accordance with RCW 41.06.170 and rules promulgated thereunder including WAC 358-20-101 and 358-20-020.

(11) Nothing in this rule shall limit the department of services for the blind executive director's use of other authorities to conduct background checks.

(12) Information pertaining to background checks is confidential and shall be used solely for the purpose of determining the character, suitability and competence of the applicant and/or employee. Access to background check information shall be limited to only those individuals processing the information for the department. Misuse of background check information is a criminal offense and may result in prosecution and/or disciplinary action as provided under WAC 356-34-010.

(13) The department of services for the blind will pay the costs associated with the background checks for current employees, applicants, volunteers, and student interns.

[Statutory Authority: Chapter 74.18 RCW. 04-12-029, § 67-16-040, filed 5/26/04, effective 7/1/04.]

Chapter 67-25 WAC

VOCATIONAL REHABILITATION AND SERVICES
FOR BLIND PERSONS

WAC

67-25-005	Definitions.
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67-25-015	Initial interview.
67-25-020	Assessment for eligibility determination.
67-25-025	Eligibility for services.
67-25-030	Eligibility for services—Criteria.
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67-25-404	Vocational rehabilitation services—Transportation.
67-25-408	Vocational rehabilitation services—Services to family members.
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DISPOSITION OF SECTIONS FORMERLY
CODIFIED IN THIS CHAPTER

67-25-075	Extended evaluation—Eligibility criteria. [Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-075, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-075, filed 12/15/83. Formerly WAC 67-20-075.] Repealed by 05-08-097, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.18 RCW.
67-25-080	Extended evaluation—Individualized written rehabilitation program. [Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-080, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-080, filed 12/15/83. Formerly WAC 67-20-080.] Repealed by 05-08-097, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.18 RCW.
67-25-085	Extended evaluation—Services provided. [Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-085, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-085, filed 12/15/83. Formerly WAC 67-20-085.] Repealed by 05-08-097, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.18 RCW.
67-25-090	Extended evaluation—Services not provided. [Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-090, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-090, filed 12/15/83. Formerly WAC 67-20-090.] Repealed by 05-08-097, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.18 RCW.
67-25-095	Extended evaluation—Duration of services. [Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-095, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-095, filed 12/15/83. Formerly WAC 67-20-095.] Repealed by 05-08-097, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.18 RCW.
67-25-100	Extended evaluation—Assessment. [Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-100, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-100, filed 12/15/83. Formerly WAC 67-20-100.] Repealed by 05-08-097, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.18 RCW.
67-25-105	Extended evaluation—Revision of program. [Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-105, filed 12/15/83. Formerly WAC 67-20-105.] Repealed by 95-06-057, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.15 RCW.
67-25-110	Extended evaluation—Termination. [Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-110, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-110, filed 12/15/83. Formerly WAC 67-20-110.] Repealed by 05-08-097, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.18 RCW.
67-25-120	Certification of termination of extended evaluation and notice. [Statutory Authority: Chapter 74.18 RCW. 88-09-006 (Order 88-1), § 67-25-120, filed 4/11/88. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-120, filed 12/15/83. Formerly WAC 67-20-120.] Repealed by 95-06-057, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.15 RCW.
67-25-180	Economic need. [Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-180, filed 12/15/83. Formerly WAC 67-20-180.] Repealed by 85-18-046 (Order 85-10), filed 8/30/85. Statutory Authority: Chapter 74.18 RCW.
67-25-185	Economic need—Financial statement required. [Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-185, filed 12/15/83. Formerly WAC 67-20-185.] Repealed by 85-18-046 (Order 85-10), filed 8/30/85. Statutory Authority: Chapter 74.18 RCW.
67-25-190	Economic need—Standards for determining. [Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-190, filed 12/15/83. Formerly WAC 67-20-190.] Repealed by 85-18-046 (Order 85-10), filed 8/30/85. Statutory Authority: Chapter 74.18 RCW.
67-25-200	Economic need—Notification of decision. [Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-200, filed 12/15/83. Formerly WAC 67-20-200.]

- Repealed by 85-18-046 (Order 85-10), filed 8/30/85. Statutory Authority: Chapter 74.18 RCW.
- 67-25-281 Vocational rehabilitation program—Notification of rights. [Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-281, filed 12/15/83. Formerly WAC 67-20-281.] Repealed by 95-06-057, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.15 RCW.
- 67-25-288 Individualized written rehabilitation program—Termination—Notification of rights. [Statutory Authority: Chapter 74.18 RCW. 98-23-078, § 67-25-288, filed 11/17/98, effective 12/18/98. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-288, filed 2/28/95, effective 3/31/95.] Repealed by 05-08-097, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.18 RCW.
- 67-25-300 Purpose of vocational rehabilitation. [Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-300, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-300, filed 12/15/83. Formerly WAC 67-20-300.] Repealed by 05-08-097, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.18 RCW.
- 67-25-326 Services to special groups of individuals with disabilities. [Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-326, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-326, filed 12/15/83. Formerly WAC 67-20-326.] Repealed by 05-08-097, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.18 RCW.
- 67-25-385 Vocational rehabilitation services—Physical and mental restoration. [Statutory Authority: 1983 c 194 § 18. 84-19-003 (Order 84-04), § 67-25-385, filed 9/6/84; 84-01-042 (Order 83-08), § 67-25-385, filed 12/15/83. Formerly WAC 67-20-385.] Repealed by 95-06-057, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.15 RCW.
- 67-25-392 Vocational rehabilitation services provided—Training—Trade schools. [Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-392, filed 12/15/83. Formerly WAC 67-20-392.] Repealed by 95-06-057, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.15 RCW.
- 67-25-395 Vocational rehabilitation services—Training—College and trade school. [Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-395, filed 12/15/83. Formerly WAC 67-20-395.] Repealed by 05-08-097, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.18 RCW.
- 67-25-420 Vocational rehabilitation services—Rehabilitation teaching services. [Statutory Authority: Chapter 74.18 RCW. 85-06-030 (Order 85-02), § 67-25-420, filed 3/1/85. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-420, filed 12/15/83. Formerly WAC 67-20-420.] Repealed by 95-06-057, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.15 RCW.
- 67-25-428 Vocational rehabilitation services—Orientation and mobility services. [Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-428, filed 12/15/83. Formerly WAC 67-20-428.] Repealed by 95-06-057, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.15 RCW.
- 67-25-470 How will DSB determine whether a person meets the definition of "most severely disabled"? [Statutory Authority: Federal Regulatory Authority for Order of Selection Rehabilitation Act of 1973, as amended, Section 101 (a)(5). 34 Code of Federal Regulations Part 361 Sec. 361.36 Ability to serve all eligible individuals; order of selection for services. Regulatory Authority for Information and Referral Services Rehabilitation Act of 1973, as amended, Section 101 (a)(20) Information and Referral services. The Rehabilitation Act of 1973, As Amended, Title I - Vocational Rehabilitation Services, Part A - General Provisions, Section 100 - Declaration of Policy. 01-21-073, § 67-25-470, filed 10/18/01, effective 11/18/01.] Repealed by 05-08-097, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.18 RCW.
- 67-25-480 How will DSB implement an order of priority? [Statutory Authority: Federal Regulatory Authority for Order of Selection Rehabilitation Act of 1973, as amended, Section 101 (a)(5). 34 Code of Federal Regulations Part 361 Sec. 361.36 Ability to serve all eligible individuals; order of selection for services. Regulatory Authority for Information and Referral Services Rehabilitation Act of 1973, as amended, Section 101 (a)(20) Information and Referral services. The Rehabilitation Act of 1973, As Amended, Title I - Vocational Rehabilitation Services, Part A - General Provisions, Section 100 - Declaration of Policy. 01-21-073, § 67-25-480, filed 10/18/01, effective 11/18/01.] Repealed by 05-08-097, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.18 RCW.
- 67-25-500 Purchase of services. [Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-500, filed 12/15/83. Formerly WAC 67-20-500.] Repealed by 95-06-057, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.15 RCW.
- 67-25-505 Purchase of services—Selection criteria—Schools. [Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-505, filed 12/15/83. Formerly WAC 67-20-505.] Repealed by 95-06-057, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.15 RCW.
- 67-25-510 Purchase of services—Selection criteria—Employment training facilities. [Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-510, filed 12/15/83. Formerly WAC 67-20-510.] Repealed by 95-06-057, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.15 RCW.
- 67-25-525 Termination of services for reason of ineligibility. [Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-525, filed 12/15/83. Formerly WAC 67-20-525.] Repealed by 95-06-057, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.15 RCW.
- 67-25-530 Termination of services for reasons other than ineligibility. [Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-530, filed 12/15/83. Formerly WAC 67-20-530.] Repealed by 95-06-057, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.15 RCW.
- 67-25-560 Administrative review. [Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-560, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.18 RCW. 90-11-047, § 67-25-560, filed 5/11/90, effective 6/11/90. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-560, filed 12/15/83. Formerly WAC 67-20-560.] Repealed by 05-08-097, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.18 RCW.

WAC 67-25-005 Definitions. (1) "Act" or "the law," except when context indicates otherwise, means the Rehabilitation Act of 1973 (29 U.S.C. Section 701 et seq.), as amended.

(2) "Applicant" means an individual who has submitted to the department an application or letter requesting vocational rehabilitation services in accordance with WAC 67-25-010.

(3) "Appropriate modes of communication" means specialized aids and supports that enable an individual with a disability to comprehend and respond to information that is being communicated. Appropriate modes of communication include, but are not limited to, the use of interpreters, open and closed captioned videos, specialized telecommunications services and audio recordings, Brailled and large print materials, materials in electronic formats, augmentative communication devices, graphic presentations, and simple language materials.

(4) "Assessment" means one or more of the following as appropriate in each case:

(a) An assessment to determine eligibility of an individual with a disability for vocational rehabilitation services in accordance with WAC 67-25-020;

(b) A comprehensive assessment, in accordance with WAC 67-25-255, to determine with the individual the employment outcome to be achieved, and a detailed plan of services needed to obtain the employment outcome;

(c) Assignment for order of priority, in accordance with WAC 67-25-460, if the department is unable to serve all eligible individuals;

(d) Trial work experience and extended evaluation, in accordance with WAC 67-25-065 and 67-25-070, if there is a question about the applicant's ability to benefit in terms of an employment outcome from vocational rehabilitation services due to the significance of his or her disability.

(5) "Blind person" means a person who:

(a) Has no vision or whose vision with corrective lenses is so limited that the individual requires alternative methods or skills to do efficiently those things that are ordinarily done with sight by individuals with normal vision;

(b) Has an eye condition of a progressive nature which may lead to blindness; or

(c) Is blind for purposes of the business enterprise program in accordance with RCW 74.18.200.

(6) "Client assistance program (CAP)" means a program, authorized under the act, which assists individuals with disabilities to receive vocational rehabilitation services by providing information and advocacy.

(7) "Competitive employment" means work:

(a) In the competitive labor market that is performed on a full-time or part-time basis in an integrated setting; and

(b) For which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled.

(8) "Customer" means any individual with a disability:

(a) Who has been found eligible for vocational rehabilitation services from the department; and

(b) For whom services have not been denied or terminated by the department.

(9) "Department" means the Washington department of services for the blind.

(10) "Director," except when the context indicates otherwise, means the director of the department of services for the blind.

(11) "Eligible individual" means an applicant for vocational rehabilitation services who meets eligibility requirements in accordance with WAC 67-25-030.

(12) "Employment outcome" means, with respect to an individual, entering or retaining full-time or, if appropriate, part-time competitive employment in the integrated labor market, supported employment (WAC 67-25-436), or any other type of employment in an integrated setting, including self-employment, telecommuting, business enterprises, or business ownership, that is consistent with the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. This definition also includes employment as a homemaker and employment as an unpaid family worker in accordance with procedures to be established by the department for determining the applicability of these outcomes for eligible individuals.

(13) "Employment service provider" means a program that provides directly or facilitates the provision of one or more vocational rehabilitation services, which enable indi-

viduals with disabilities to maximize opportunities for employment, including career advancement. Services include:

(a) Medical, psychiatric, psychological, social, and vocational services provided under one management;

(b) Testing, fitting, or training in the use of prosthetic and orthotic devices;

(c) Recreational therapy;

(d) Physical and occupational therapy;

(e) Speech, language and hearing therapy;

(f) Psychiatric, psychological and social services, including positive behavior management;

(g) Assessment for determining eligibility and vocational rehabilitation needs;

(h) Rehabilitation technology;

(i) Job development, placement, and retention services;

(j) Evaluation or control of specific disabilities;

(k) Assessment and training in adaptive skills of blindness;

(l) Extended employment;

(m) Psychosocial rehabilitation services;

(n) Supported employment services and extended services;

(o) Services to family members when necessary for the vocational rehabilitation of the customer;

(p) Personal assistance services; or

(q) Services similar to those described in (a) through (p) of this subsection.

(14) "Extended employment" means work in a nonintegrated or sheltered setting for a public or private agency or organization that provides compensation in accordance with the Fair Labor Standards Act. The department will only support extended employment as an intermediate step toward competitive employment.

(15) "Individual with a disability" for purposes of this chapter means an individual who:

(a) Has a physical or mental impairment which results in a substantial impediment to employment; and

(b) Can benefit in terms of an employment outcome from vocational rehabilitation services.

(16) "Individual's representative" means any representative chosen by an applicant or eligible individual, as appropriate, including a parent, guardian, other family member, or advocate, unless a representative has been appointed by a court to represent the individual, in which case the court-appointed representative is the individual's representative.

(17) "Informed choice" means the process by which an individual receiving vocational rehabilitation services from the department makes decisions about rehabilitation goals and the services and service providers necessary to reach those goals. Informed choice places primary responsibility for action and decision making with the individual, with support of a vocational rehabilitation counselor. Individuals have a right to make informed choices relating to:

(a) Assessment services in accordance with WAC 67-25-020, 67-25-255, and 67-25-257;

(b) Options for developing the individualized plan for employment in accordance with WAC 67-25-260;

(c) Vocational rehabilitation services and service providers in accordance with WAC 67-25-350; and

(d) Employment outcome and work setting.

(18) "Integrated setting" means a setting typically found in the community in which an individual with a disability, including those with the most significant disabilities in accordance with WAC 67-25-060, interact with nondisabled individuals, other than service providers, to the same extent that nondisabled individuals in comparable settings interact with other persons.

(19) "Residence" or "residency" means, for purposes of this chapter, voluntarily living in the state for other than temporary reasons at the time of application.

(20) "Statewide workforce investment system" means a system described in section 111 (d)(2) of the Workforce Investment Act of 1998.

(21) "Substantial impediment to employment" means that a physical or mental impairment (in light of attendant medical, psychological, vocational, educational, communication and other related factors) hinders an individual from preparing for, entering into, engaging in, or retaining employment consistent with the individual's abilities and capabilities.

(22) "Vocational rehabilitation counselor" means a qualified employee of the department who has direct responsibility for providing or supervising the provision of all rehabilitation services to customers.

(23) "Vocational rehabilitation services" means any goods or services necessary for a customer to achieve an employment outcome provided in accordance with WAC 67-25-350.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-005, filed 4/4/05, effective 5/5/05; 98-23-078, § 67-25-005, filed 11/17/98, effective 12/18/98. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-005, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.18 RCW. 91-20-010, § 67-25-005, filed 9/20/91, effective 10/21/91; 85-06-030 (Order 85-02), § 67-25-005, filed 3/1/85. Statutory Authority: 1983 c 194 § 18. 84-19-003 (Order 84-04), § 67-25-005, filed 9/6/84; 84-01-042 (Order 83-08), § 67-25-005, filed 12/15/83. Formerly WAC 67-20-005.]

WAC 67-25-010 Application for services. (1) Any individual who is blind, as defined in WAC 67-25-005, may apply for vocational rehabilitation services, including any individual who has previously applied for, has previously received, or has previously been denied such services.

(2) Any individual who is blind seeking to obtain vocational rehabilitation services from the department shall submit a written letter or application for services to the department, or shall request vocational rehabilitation services on an intake form at a WorkSource center operated under the statewide workforce investment system.

(3) The written letter or application for services shall be signed and dated by the individual requesting services or, if appropriate, by the individual's representative, and shall include:

- (a) The applicant's name and address;
- (b) The applicant's disability; and
- (c) The applicant's Social Security number.

(4) The department shall not provide vocational rehabilitation services to any individual who has failed to submit a signed and dated letter or application containing the above information.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-010, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-010, filed 2/28/95, effective 3/31/95. Statutory Authority:

1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-010, filed 12/15/83. Formerly WAC 67-20-010.]

WAC 67-25-015 Initial interview. (1) An applicant for vocational rehabilitation services shall be interviewed personally by a vocational rehabilitation counselor within ten working days upon receipt of an application by the department.

(2) The interviewer shall:

(a) Explain to the applicant the nature and operation of the vocational rehabilitation program as it relates to the applicant;

(b) Specifically inform the applicant of the right to appeal any eligibility decision made by the department on his or her behalf through mediation and fair hearing in accordance with WAC 67-25-570;

(c) Inform the applicant of his or her right of confidentiality of information possessed by the department and conditions for its release in accordance with WAC 67-25-550;

(d) Provide to the applicant a description of client assistance program services; and

(e) Obtain information from the applicant necessary to determine his or her eligibility for vocational rehabilitation services in accordance with WAC 67-25-020 and 67-25-030.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-015, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-015, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-015, filed 12/15/83. Formerly WAC 67-20-015.]

WAC 67-25-020 Assessment for eligibility determination. (1) An assessment shall be conducted for each applicant to determine whether:

(a) The individual is blind as defined in WAC 67-25-005, which alone or combined with other disabilities results in a substantial impediment to employment; and

(b) Vocational rehabilitation services are required for the applicant to prepare for, enter, engage in, or retain an employment outcome consistent with the applicant's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

(2) If the department is operating under an order of priority, in accordance with WAC 67-25-460, the assessment must also include information to be used for determination of priority for service.

(3) The assessment shall, to the maximum extent possible, be based on a review of existing data in accordance with confidentiality requirements in WAC 67-25-550. The assessment shall, where appropriate, include information provided by the applicant or the applicant's family, education records, information used by the Social Security Administration, determinations made by other agencies, and observations of the vocational rehabilitation counselor and other appropriate staff members.

(4) To the extent existing data do not describe the current functioning of the individual or are unavailable, insufficient, or inappropriate to make an eligibility determination, the assessment may include provision of vocational rehabilitation services necessary to determine whether the applicant is eligible. Services provided for this purpose may include trial work experience or extended evaluation in accordance with WAC 67-25-065 and 67-25-070. The department will pro-

vide assistance to the applicant, if necessary, to assure that the applicant is prepared to make an informed choice in the selection of services needed to make an eligibility decision.

(5) The assessment must include an appraisal of the current visual condition and prognosis of the applicant based on ophthalmological or optometric findings.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-020, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-020, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-020, filed 12/15/83. Formerly WAC 67-20-020.]

WAC 67-25-025 Eligibility for services. (1) The department shall determine whether an individual is eligible for vocational rehabilitation services within sixty days after receipt of an application for services, unless, exceptional and unforeseen circumstances beyond the control of the department preclude completion of the determination within sixty days, in which case, the department will notify the applicant.

(2) The applicant must agree to an extension of eligibility determination or, must agree to participate in trial work experience or extended evaluation in accordance with WAC 67-25-065 and 67-25-070. If the applicant does not agree to an extension of the eligibility determination or does not agree to participate in trial work experience or extended evaluation, the applicant will be determined ineligible for vocational rehabilitation services and the case service record will be closed in accordance with WAC 67-25-055.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-025, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-025, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-025, filed 12/15/83. Formerly WAC 67-20-025.]

WAC 67-25-030 Eligibility for services—Criteria. (1) Eligibility shall be based only upon determination by a vocational rehabilitation counselor that:

(a) The individual is blind, as defined in WAC 67-25-005;

(b) The blindness alone or combined with other disabilities constitutes or results in a substantial impediment to employment; and

(c) Vocational rehabilitation services are required for the individual to prepare for, enter, engage in, or retain an employment outcome consistent with the applicant's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

(2) Any applicant who has been determined eligible for Social Security benefits under Title II or Title XVI of the Social Security Act and meets the criteria in subsection (1)(a) of this section is presumed eligible for vocational rehabilitation services and is considered to be an individual with a significant disability as defined in WAC 67-25-060.

(3) If an individual is blind, and the individual's disability results in a substantial impediment to employment, it shall be presumed that the individual can benefit in terms of an employment outcome from vocational rehabilitation services, unless, the department can demonstrate by clear and convincing evidence, in accordance with WAC 67-25-065, that the individual is incapable of benefiting in terms of an employment outcome from vocational rehabilitation services due to the significance of his or her disability.

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(4) Eligibility requirements are applied without regard to the race, color, sex, religion, national origin, creed, marital status, or age of the applicant.

(5) No individual or group of individuals shall be found ineligible solely on the basis of the type of disability.

(6) No individual shall be found ineligible based on requirements for duration of residence.

(7) No individual shall be found ineligible solely on the basis of lack of U.S. citizenship. However, before the department will pay for vocational rehabilitation services, including assessment services, the applicant must provide copies of documents requested by the department that verify his or her immigration and naturalization status, and verify his or her identity. If the applicant is not a United States citizen, his or her legal work status must also be verified. The department will provide services, including assessment services, only to applicants who meet at least one of the following conditions: United States citizenship; permanent residency status in the United States; or when a valid work permit has been issued.

(8) Eligibility requirements are applied without regard to the particular service needs or anticipated cost of services required by an applicant or the income level of an applicant or applicant's family.

(9) An individual who is blind or who has a visual disability which does not result in an impediment to employment, but who may have other disabilities which might result in impediments to employment, may be referred to other service providers or may be provided services through a cooperative plan with other service providers, such as, division of vocational rehabilitation, division of developmental disabilities, and WorkSource centers established under the statewide workforce investment system.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-030, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-030, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.18 RCW. 91-20-010, § 67-25-030, filed 9/20/91, effective 10/21/91. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-030, filed 12/15/83. Formerly WAC 67-20-030.]

WAC 67-25-050 Certification for decision of eligibility. There shall be a certification of eligibility if the applicant meets the requirements specified in WAC 67-25-030. The certification shall be dated and signed by a vocational rehabilitation counselor.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-050, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-050, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-050, filed 12/15/83. Formerly WAC 67-20-050.]

WAC 67-25-055 Eligibility determination—Notice to applicant. (1) The applicant shall be notified in writing, using appropriate modes of communication, and in the individual's native language if necessary, of the action taken on eligibility or ineligibility.

(2) The applicant shall be advised of the right to appeal any eligibility decision made by the department concerning the applicant including: The procedure to request mediation and fair hearing in accordance with WAC 67-25-570; and a description of client assistance program services.

(3) If an applicant is determined ineligible for vocational rehabilitation services, the notice shall clearly specify how he

or she failed to meet the eligibility criteria set forth in WAC 67-25-030.

(4) If the applicant is determined eligible for vocational rehabilitation services, the notice shall clearly specify the date of eligibility certification.

(5) If the vocational rehabilitation counselor determines that an applicant is not eligible for vocational rehabilitation services, the rehabilitation counselor will provide the individual with information and referral to other agencies or organizations that may provide services to meet the individual's employment related needs.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-055, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-055, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-055, filed 12/15/83. Formerly WAC 67-20-055.]

WAC 67-25-056 Ineligibility determination—

Review. (1) After twelve months, and annually thereafter, if requested by the individual or by the individual's representative, the department shall complete a review of an ineligibility determination that is based on a finding that the individual is incapable of achieving an employment outcome, unless:

- (a) The individual has refused the review;
- (b) The individual is no longer present in the state; or
- (c) His or her whereabouts are unknown.

(2) The individual, or if appropriate, the individual's representative, shall be given an opportunity to participate in any review and reconsideration of eligibility.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-056, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-056, filed 2/28/95, effective 3/31/95.]

WAC 67-25-060 Criteria for significant disability and most significant disability. (1) An individual with a significant disability is an individual:

(a) Who has a severe physical or mental disability which seriously limits his or her functional capacities (mobility, communication, self-care, self-direction, work tolerance or work skills) in terms of achieving an employment outcome;

(b) Whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time; and

(c) Who has one or more physical or mental disabilities resulting from amputation, arthritis, blindness, cancer, cerebral palsy, cystic fibrosis, deafness, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, mental retardation, mental illness, multiple sclerosis, muscular dystrophy, musculo-skeletal disorder, neurological disorders (including stroke and epilepsy), paraplegia, quadriplegia, and other spinal cord conditions, sickle cell anemia and end-stage renal disease, or other disability or combination of disabilities determined on the basis of an assessment of rehabilitation needs to cause comparable substantial functional limitation.

(2) An individual with a most significant disability is an individual:

(a) Who has three or more functional limitations (mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) related to employment; and

(b) Whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-060, filed 4/4/05, effective 5/5/05. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-060, filed 12/15/83. Formerly WAC 67-20-060.]

WAC 67-25-065 Trial work experience. (1) Trial work experience is a process of providing assessment and related vocational rehabilitation services to an applicant with significant disabilities, for the limited purpose of collecting information necessary to make an eligibility determination, if there is concern that the individual is incapable of benefiting in terms of an employment outcome from vocational rehabilitation services due to the significance of his or her disability.

(2) Trial work experience will be provided for a customer in an individualized plan for employment, if necessary, to assess his or her capability to continue benefiting, in terms of an employment outcome, from vocational rehabilitation services due to the significance of his or her disability.

(3) Trial work experience allows the individual to explore his or her abilities, capabilities, and capacities to perform in a realistic work situation, while addressing identified barriers to employment through the provision of appropriate vocational rehabilitation services, including supported employment, on-the-job training, rehabilitation technology and personal assistance services in order to accommodate the rehabilitation needs of the individual during the trial work experience.

(4) A written plan, including periodic assessments, must be developed to determine the individual's abilities, capabilities, and capacities, to perform in work situations through use of trial work experiences. The individualized plan for employment, developed in accordance with WAC 67-25-260, must be inactivated while the individual is involved in the trial work experience.

(5) Trial work experience may take place more than once and may extend as long as necessary to determine that:

(a) There is sufficient evidence that the individual can benefit from vocational rehabilitation services and achieve an employment outcome, and is eligible to receive or to continue to receive vocational rehabilitation services; or

(b) There is clear and convincing evidence (a high degree of certainty) based on functional and situational assessments, that the individual cannot benefit from vocational rehabilitation services and achieve an employment outcome, due to the significance of his or her disability, and is not eligible or no longer eligible for vocational rehabilitation services.

(6) If a trial work experience is provided, it must occur in a variety of work environments, include an appropriate range of tasks, must occur in the most integrated settings possible and be consistent with the individual's informed choice and rehabilitation needs.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-065, filed 4/4/05, effective 5/5/05.]

WAC 67-25-070 Extended evaluation. (1) If an applicant or customer with significant disabilities is unable to participate in a trial work experience or if options for trial work experience have been exhausted before the vocational reha-

bilitation counselor is able to make the determination of eligibility, an extended evaluation must be conducted. The purpose of the extended evaluation is to obtain information necessary to make an eligibility decision or to determine if trial work experience can be utilized. Extended evaluation involves provision of one or more vocational rehabilitation services designed to assess whether the applicant or customer is capable of benefiting from or capable of continuing to benefit from vocational rehabilitation services in terms of an employment outcome.

(2) A written plan, including periodic assessments, must be developed to determine the individual's abilities, capabilities, and capacities, to perform in work situations through the use of extended evaluation. The individualized plan for employment, developed in accordance with WAC 67-25-260, must be inactivated while the individual is involved in extended evaluation. Only those services considered necessary for making the eligibility or continuing eligibility decision may be provided. Vocational rehabilitation services provided during extended evaluation must be provided in the most integrated setting possible, consistent with the informed choice and rehabilitation needs of the applicant or customer.

(3) Extended evaluation shall be terminated when the department has sufficient information to make the eligibility or continuing eligibility decision.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-070, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-070, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-070, filed 12/15/83. Formerly WAC 67-20-070.]

WAC 67-25-077 Certification of trial work experience or extended evaluation. If an applicant or customer is offered an opportunity for trial work experience or extended evaluation in accordance with WAC 67-25-065 or 67-25-070, there shall be a certification of eligibility for the services specified. The certification shall be dated and signed by a vocational rehabilitation counselor. A copy will be given to the individual with information regarding appeal rights, in accordance with WAC 67-25-570, and information about the client assistance program (CAP).

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-077, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-077, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-077, filed 12/15/83. Formerly WAC 67-20-077.]

WAC 67-25-255 Comprehensive assessment. (1) To the extent possible, current data including: That provided by the customer and his or her family; information available from other programs and providers such as schools and the Social Security Administration; and information utilized for the determination of eligibility, must be used to determine the employment outcome and the nature and scope of vocational rehabilitation services to be included in the individualized plan for employment, in accordance with WAC 67-25-260. If additional data is necessary, there must be a comprehensive assessment of the unique strengths, resources, priorities, concerns, abilities, capacities, interests, informed choice, and the need for supported employment services of the customer conducted in the most integrated setting possible.

(2) The comprehensive assessment must be limited to information necessary to identify the rehabilitation needs and develop the individualized plan for employment with the individual, and may, if necessary, include:

(a) A comprehensive analysis of pertinent medical, psychiatric, psychological, and other pertinent vocational, educational, cultural, social, recreational, and environmental factors affecting the employment and rehabilitation needs of the individual;

(b) An analysis of the individual's personality, interests, interpersonal skills, intelligence and related functions, educational achievements, work experience, vocational aptitudes, personal, cultural, environmental, and recreational adjustments, and employment opportunities;

(c) Work in a real job situation or use of other available data to evaluate or develop work behaviors and capacities necessary to achieve an employment outcome. This includes an appraisal of the customer's pattern of work behaviors and identification of services needed to acquire occupational skills and to develop work attitudes, work habits, work tolerance, and social and behavior patterns suitable for successful job performance;

(d) Assessment of the need for the provision of rehabilitation technology to develop the capacities of the individual to perform in a work environment, including in an integrated setting, to the maximum extent feasible, consistent with the individual's informed choice.

(3) Information pertaining to conditions or circumstances, such as criminal record, INS identity and work status that restricts the type of employment the customer can legally perform must be disclosed to the department prior to development of the individualized plan for employment.

(4) If a customer desires an employment outcome in a field that customarily requires a background check as a condition of employment, the department must obtain a criminal history background check verifying that the customer is not excluded from employment in the field or specific job prior to development of the individualized plan for employment.

(5) If the department becomes aware of a condition or circumstance that may affect the customer's ability to achieve an employment outcome after the individualized plan for employment has been developed, the vocational rehabilitation counselor will conduct necessary assessment services, including trial work experience or extended evaluation, in accordance with WAC 67-25-065 and 67-25-070, to determine whether the customer is capable of achieving the employment outcome identified in the individualized plan for employment.

(6) If a customer declines to authorize the release of information or to participate in vocational rehabilitation services necessary to collect pertinent information for development of an appropriate individualized plan for employment, the vocational rehabilitation counselor will close the case service record.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-255, filed 4/4/05, effective 5/5/05; 98-23-078, § 67-25-255, filed 11/17/98, effective 12/18/98. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-255, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-255, filed 12/15/83. Formerly WAC 67-20-255.]

WAC 67-25-257 Assessment—Adaptive skills of blindness. (1) As a part of the assessment to determine vocational rehabilitation service needs, there must be a determination of each individual's use of and ability to benefit from adaptive skills of blindness. Rehabilitation objectives and service needs identified with the customer during this assessment process shall be incorporated into the individualized plan for employment.

(2) Adaptive skills of blindness assessment include, as appropriate in each case:

- (a) Communications, including braille and keyboarding;
- (b) Personal management;
- (c) Orientation and mobility;
- (d) Home management;
- (e) Activities of daily living;
- (f) Personal adjustment to blindness, and if applicable, adjustment to other disabilities;
- (g) Ability to benefit from rehabilitation technology; and
- (h) Use of residual vision and ability to benefit from low vision devices and related training.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-257, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-257, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.18 RCW. 85-06-030 (Order 85-02), § 67-25-257, filed 3/1/85.]

WAC 67-25-260 Individualized plan for employment. (1) The individualized plan for employment is a written agreement that documents important decisions made between the customer and a vocational rehabilitation counselor concerning the customer's employment outcome including, responsibilities agreed upon by the department and the customer, and the vocational rehabilitation services to be provided.

(2) The customer must be actively involved in developing the individualized plan for employment including making meaningful and informed choices about the selection of the employment outcome, intermediate objectives, the vocational rehabilitation services provided, service providers, settings, and methods of procuring services.

(3) The employment outcome the customer chooses must be consistent with the information and results of the assessment of the individual's vocational rehabilitation needs.

(4) The department supports customers to achieve an employment outcome as defined in WAC 67-25-005. If a customer chooses another type of employment outcome, the department will, to the extent possible, refer the customer to other programs or organizations that may offer the type of employment that the customer desires.

(5) The individualized plan for employment must be agreed upon and signed by the customer, or as appropriate, the individual's representative, and a vocational rehabilitation counselor.

(6) The individualized plan for employment shall be designed to achieve the employment outcome of the customer consistent with the unique strengths, resources, priorities, concerns, abilities, capabilities, and interests of the individual. To the extent possible, consistent with the informed choice of the individual, the plan shall include placement in an integrated setting.

(7) The plan shall include:

(a) The individual's long-term employment outcome based on the assessment for determining vocational rehabilitation needs and the career interests of the individual;

(b) Specific and measurable intermediate rehabilitation objectives to achieve the employment outcome, based on the assessment for determining vocational rehabilitation needs;

(c) Specific vocational rehabilitation services to be provided to achieve the intermediate rehabilitation objectives;

(d) Projected initiation dates and the anticipated duration of each service;

(e) Objective criteria, and an evaluation procedure and schedule to determine whether goals and objectives are being achieved;

(f) The views of the individual, in the words of the individual, or, as appropriate, in the words of the individual's representative, describing how he or she was informed about and involved in choosing among alternative goals, objectives, services, providers, and methods used to procure or provide services, including alternatives in integrated settings;

(g) How, to the maximum extent possible, information will be provided to the individual, or if appropriate, to the individual's representative, in his or her native language if necessary, and using appropriate modes of communication;

(h) Terms and conditions for provision of vocational rehabilitation services, including:

(i) Responsibilities the customer has agreed to, including steps the customer will take to achieve the employment outcome, and services the customer agrees to apply for and use that are available at no cost from another program;

(ii) The extent to which goods and services shall be provided in integrated settings, consistent with the informed choices of the individual;

(iii) The extent to which comparable services and benefits, in accordance with WAC 67-25-360, are available to the individual under any other program;

(iv) The entity or entities that will provide services and the process and setting to be used to provide or procure services;

(v) Assessment of the need for post-employment services, in accordance with WAC 67-25-444, prior to closing the case service record, of a customer who has achieved an employment outcome and, if appropriate, a statement of how post-employment services are to be arranged or provided using comparable services and benefits, in accordance with WAC 67-25-360;

(vi) Information regarding the right to appeal any decision made by the department on behalf of the individual including the procedure for mediation, fair hearing, and judicial review, in accordance with WAC 67-25-570;

(vii) A description of client assistance program services; and

(viii) The basis on which the individual is determined to have achieved an employment outcome.

(8) An individualized plan for employment that includes a supported employment outcome, in accordance with WAC 67-25-436 must also document:

(a) The supported employment services to be provided by the department;

(b) Extended services or natural supports that are likely to be needed;

(c) The source of extended services or, to the extent that it is not possible to identify the source of extended services when the plan is developed, a description of the basis for concluding that there is a reasonable expectation that those sources will become available;

(d) A goal for the number of hours per week the customer is expected to work and a plan to monitor the customer's progress toward meeting that expectation;

(e) A description of how the services on the individualized plan for employment are to be coordinated with other individualized plans established under other federal or state services;

(f) If job skills training is provided, the individualized plan for employment must reflect that the training is provided on-site; and

(g) Placement in an integrated setting for the maximum number of hours possible based on the strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the customer.

(9) Transition students who are determined eligible for vocational rehabilitation services must have an individualized plan for employment prior to leaving school. An individualized plan for employment for a transition student who is receiving special education services should be coordinated, to the extent possible, with the individualized education plan of the individual in terms of identified goals, objectives, and services.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-260, filed 4/4/05, effective 5/5/05; 98-23-078, § 67-25-260, filed 11/17/98, effective 12/18/98. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-260, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-260, filed 12/15/83. Formerly WAC 67-20-260.]

WAC 67-25-270 Individualized plan for employment—Participation of the customer. (1) A customer or, as appropriate, the individual's representative may develop all or part of the individualized plan for employment:

(a) Independently, without any assistance from the department or another entity;

(b) With assistance from a vocational rehabilitation counselor employed by the department;

(c) With assistance from a vocational rehabilitation counselor who is not employed by the department but who meets the minimum qualifications for a vocational rehabilitation counselor as established by the department; and

(d) Other resources such as a representative, family member, advocate, or other individual.

(2) The department shall provide, as appropriate to each customer, information to assist the individual or the individual's representative in developing the individualized plan for employment, including:

(a) Information describing the full range of components that must be included in an individualized plan for employment;

(b) Information on assistance available for completing required forms; and

(c) Additional information that the customer requests or the department determines to be necessary for development of the individualized plan for employment.

(2007 Ed.)

(3) The department will provide assistance to customers who choose to develop their individualized plan for employment with someone other than a department vocational rehabilitation counselor, and will identify individuals, to the extent possible, who may be of help in that process. However, the department will not pay fees or other expenses associated with obtaining assistance from such individuals.

(4) Substantive changes to the individualized plan for employment must be jointly made and agreed upon by the customer and the department vocational rehabilitation counselor.

(5) A copy of the individualized plan for employment and copies of any revisions and amendments shall be provided, using appropriate modes of communication, to the customer or, as appropriate, to the individual's representative.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-270, filed 4/4/05, effective 5/5/05; 98-23-078, § 67-25-270, filed 11/17/98, effective 12/18/98. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-270, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-270, filed 12/15/83. Formerly WAC 67-20-270.]

WAC 67-25-275 Individualized plan for employment—Annual review. (1) The individualized plan for employment shall be reviewed as necessary but at least annually. The customer, or if appropriate, the individual's representative, shall be given an opportunity to review the plan and jointly redevelop and agree to its terms.

(2) Services shall be modified as needed and incorporated into the plan.

(3) If it is determined that the employment outcome of the customer will be changed, the new plan shall not take effect until agreed upon and signed by the customer, or if appropriate, the individual's representative, and the vocational rehabilitation counselor.

(4) If a customer's vision is restored so that he or she is not blind, as defined in WAC 67-25-005, further services shall be limited to those identified in an assessment of vocational rehabilitation service needs in accordance with WAC 67-25-255. If the customer has other disabilities, which result in an impediment to employment, the individual will be referred to the appropriate organization for assistance.

(5) The individualized plan for employment review may be conducted with a qualified vocational rehabilitation counselor who is not employed by the department. However, in such cases, the department vocational rehabilitation counselor shall have final signature authority on the review and any changes to the plan.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-275, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-275, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-275, filed 12/15/83. Formerly WAC 67-20-275.]

WAC 67-25-280 Individualized plan for employment—Termination due to ineligibility. (1) The services under an individualized plan for employment shall be terminated if it is determined, based on clear and convincing evidence in accordance with WAC 67-25-065, that the individual is incapable of achieving an employment outcome and is therefore no longer eligible for vocational rehabilitation services.

(2) A decision to terminate the plan shall only be made with participation of the customer, or as appropriate, the individual's representative.

(3) The views of the customer, or the individual's representative, concerning the decision shall be documented in the plan.

(4) Rationale for the decision must be documented as part of the plan including any assessment results from a trial work experience or extended evaluation in accordance with WAC 67-25-065 and 67-25-070.

(5) When a customer is determined ineligible for vocational rehabilitation services, there shall be a written notification dated and signed by the vocational rehabilitation counselor placed in the customer's case service record, and a copy shall be provided to the customer or to the individual's representative.

(6) The customer shall be notified of the opportunity for review and reconsideration of the decision in accordance with WAC 67-25-056.

(7) The individual will be provided with a description of services and a referral to other programs available from the statewide workforce investment system, including information about services available at a local WorkSource center, that may address the individual's training or employment related needs, and will be referred to local extended employment providers if the ineligibility determination is based on a finding that the individual is incapable of achieving an employment outcome.

(8) Upon termination, the customer, or as appropriate, the individual's representative, will be informed in writing, using appropriate modes of communication and the individual's native language if necessary, of the right to appeal any eligibility decision made by the department on his or her behalf through mediation and fair hearing in accordance with WAC 67-25-570. The customer shall also be provided information on services available from the client assistance program.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-280, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-280, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-280, filed 12/15/83. Formerly WAC 67-20-280.]

WAC 67-25-284 Individualized plan for employment—Termination for reasons other than ineligibility.

(1) Vocational rehabilitation services provided under an individualized plan for employment shall be terminated prior to completion if a customer:

- (a) Has died;
- (b) Cannot be located by the department after reasonable efforts to do so;
- (c) Has been institutionalized under circumstances which preclude provision of services for a substantial or indefinite period of time;
- (d) Has moved to another jurisdiction and the department is unable to continue provision of services;
- (e) Declines to accept or utilize vocational rehabilitation services after reasonable efforts have been made to encourage participation.

(2) A decision to terminate services for any reason described in subsection (1) of this section does not require a

review and reconsideration after twelve months pursuant to WAC 67-25-056.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-284, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-284, filed 2/28/95, effective 3/31/95.]

WAC 67-25-325 Services available from other agencies. Vocational rehabilitation funds shall not be expended to purchase services for a customer when another agency has primary responsibility for providing the needed service.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-325, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-325, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-19-003 (Order 84-04), § 67-25-325, filed 9/6/84; 84-01-042 (Order 83-08), § 67-25-325, filed 12/15/83. Formerly WAC 67-20-325.]

WAC 67-25-350 Vocational rehabilitation—Services provided. Based on the vocational rehabilitation needs of each customer, the department will make the following vocational rehabilitation services available to assist the customer in preparing for, securing, retaining, or regaining an employment outcome that is consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice:

(1) Assessment for determining eligibility in accordance with WAC 67-25-020, and order of priority for services in accordance with WAC 67-25-460;

(2) Assessment for determining vocational rehabilitation needs in accordance with WAC 67-25-255 and 67-25-257;

(3) Vocational rehabilitation counseling and guidance including information and support services to assist an individual in exercising informed choice in accordance with WAC 67-25-380;

(4) Referral and related services to help the individual secure needed services from other agencies, including other partners in the statewide workforce investment system and referral to the client assistance program;

(5) Physical and mental restoration services in accordance with WAC 67-25-384;

(6) Vocational and other training in accordance with WAC 67-25-388, 67-25-390, 67-25-394, 67-25-396, and 67-25-398, subject to limitations in WAC 67-25-360;

(7) Maintenance related to the provision of vocational rehabilitation services in accordance with WAC 67-25-400;

(8) Transportation related to the provision of vocational rehabilitation services in accordance with WAC 67-25-404;

(9) Services to family members in accordance with WAC 67-25-408;

(10) Interpreter and translation services in accordance with WAC 67-25-412;

(11) Reader services in accordance with WAC 67-25-408;

(12) Assessment and training in adaptive skills of blindness in accordance with WAC 67-25-257 and 67-25-398;

(13) Job search and placement assistance, and job retention services in accordance with WAC 67-25-440;

(14) Supported employment services in accordance with WAC 67-25-436;

(15) Personal assistance services, including training in managing, supervising, and directing these services in accordance with WAC 67-25-418;

(16) Post-employment services in accordance with WAC 67-25-444;

(17) Occupational licenses, tools, equipment, initial stocks, and supplies in accordance with WAC 67-25-448;

(18) Rehabilitation technology and telecommunications services in accordance with WAC 67-25-448;

(19) Transition services for students in accordance with WAC 67-25-399;

(20) Technical assistance and other consultation services to conduct market analyses, develop business plans, and otherwise provide resources to the extent those resources are authorized to be provided through the statewide workforce investment system, to eligible individuals who are pursuing self-employment or telecommuting or establishing a small business operation as an employment outcome; and

(21) Other goods and services necessary for the customer to achieve an employment outcome in accordance with WAC 67-25-452.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-350, filed 4/4/05, effective 5/5/05; 98-23-078, § 67-25-350, filed 11/17/98, effective 12/18/98. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-350, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-350, filed 12/15/83. Formerly WAC 67-20-350.]

WAC 67-25-360 Vocational rehabilitation services—Comparable services and benefits. (1) Consideration of comparable services and benefits is required by Section 101 (a)(8) of the act. Therefore, this section prevails over all other sections describing conditions under which vocational rehabilitation services shall be provided.

(2) Comparable services and benefits include any financial or other resource for which a customer is legally qualified, or entitled, or meets the criteria for obtaining without undue contingencies. The resource must be an organized, ongoing form of service provision or financial assistance, whether public or private. It must be free or may require a deductible, co-insurance feature, token payment or personal claim.

(3) Customers are required to apply for and accept comparable services and benefits which they are entitled to receive before vocational rehabilitation funds can be expended, except as provided in subsections (5) and (6) of this section.

(4) The vocational rehabilitation counselor has an obligation to inform customers of known sources for comparable services and benefits and shall assist with application for these services when necessary.

(5) The following services are provided without consideration of comparable services and benefits:

(a) Assessment in accordance with WAC 67-25-020, 67-25-055 and 67-25-057;

(b) Counseling and guidance in accordance with WAC 67-25-380;

(c) Referral;

(d) Training services including work skills building and work readiness training, books, and other training materials in accordance with WAC 67-25-388, 67-25-394, 67-25-396, 67-25-398;

(e) Placement services in accordance with WAC 67-25-440;

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(f) Rehabilitation technology services in accordance with WAC 67-25-448;

(g) Services listed in (a) through (f) of this subsection as post-employment services in accordance with WAC 67-25-444.

(6) Determination of comparable services and benefits shall not be required if:

(a) Utilization of such a service would delay provision of vocational rehabilitation services to an individual determined to be at extreme medical risk, based on medical evidence provided by a qualified medical professional, indicating a probability of substantially increasing functional impairment or death if medical services, including mental health services, are not provided expeditiously; or

(b) An immediate job placement would be lost due to a delay resulting from utilization of comparable services and benefits.

(7) The following services may be provided only after consideration of comparable services and benefits:

(a) Physical and mental restoration services in accordance with WAC 67-25-384;

(b) Maintenance in accordance with WAC 67-25-400;

(c) Transportation in accordance with WAC 67-25-404;

(d) Services to family members in accordance with WAC 67-25-408;

(e) Interpreter and translation services in accordance with WAC 67-25-412;

(f) Reader services in accordance with WAC 67-25-416;

(g) Training at institutions of higher education in accordance with WAC 67-25-388 and 67-25-390;

(h) Supported employment services in accordance with WAC 67-25-436;

(i) Personal assistance services in accordance with WAC 67-25-418;

(j) Post-employment services, in accordance with WAC 67-25-444, except as specified in subsection (5) of this section;

(k) Occupational licenses, tools, equipment, initial stocks and supplies in accordance with WAC 67-25-448;

(l) Transition services for students in accordance with WAC 67-25-299;

(m) Other goods and services not specified in this section.

(8) Consideration of comparable services and benefits shall be documented in the customer's case services record and shall include sources of assistance considered, whether the customer applied, acceptable reasons for failure to apply, outcome of application, and basis for the decision to expend vocational rehabilitation funds for services described in subsection (7) of this section.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-360, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-360, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.18 RCW. 85-18-046 (Order 85-10), § 67-25-360, filed 8/30/85. Statutory Authority: 1983 c 194 § 18. 84-19-003 (Order 84-04), § 67-25-360, filed 9/6/84.]

WAC 67-25-380 Vocational rehabilitation services—Counseling and guidance. (1) Counseling and guidance services, based on needs of the individual, shall be available

throughout all phases of the rehabilitation process to assist the participant with:

(a) Adjustment to blindness and other disabilities; understanding the importance of developing and using adaptive skills of blindness; and, identifying strategies to overcome negative social attitudes regarding disability;

(b) Identifying his or her unique strengths, resources, priorities, concerns, abilities, and capabilities related to planning for and achieving an employment outcome;

(c) Identifying and overcoming potential barriers to achieving an employment outcome including disability-related, personal, and social factors;

(d) Selecting an employment outcome consistent with his or her abilities, capabilities, and interests;

(e) Obtaining and utilizing resource information to make meaningful and informed choices regarding selection of vocational rehabilitation goals, objectives, services, and providers;

(f) Overcoming potential barriers and achieving an employment outcome through development of skills such as: Study and work habits; grooming; management of finances; preparation for job interviews and tests; self-advocacy; and effective interpersonal relationships.

(2) Counseling and guidance services may also be provided to:

(a) Assist family members to effectively participate in the rehabilitation process;

(b) Assist prospective employers to develop positive attitudes regarding hiring and accommodating individuals who are blind.

(3) Counseling and guidance shall be provided without consideration of comparable services and benefits in accordance with WAC 67-25-360.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-380, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-380, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-380, filed 12/15/83. Formerly WAC 67-20-380.]

WAC 67-25-384 Vocational rehabilitation services—Physical and mental restoration services. (1) Physical and mental restoration services shall be provided to a customer under an individualized plan for employment when the vocational rehabilitation counselor determines that such services are likely, within a reasonable period of time, to substantially correct or modify a stable or slowly progressive physical or mental impairment that constitutes a substantial impediment to employment for the customer.

(2) All authorized physical and mental restoration services shall be provided by qualified.

(3) When receiving physical and mental restoration services, the customer may choose the physician or other health professional and appropriate facilities. Service providers and facilities should, to the maximum extent appropriate, be selected from those who will accept reimbursement in accordance with the *Washington State Department of Labor and Industries Schedule of Maximum Allowances and Program Descriptions*.

(4) Physical and mental restoration services may be provided to an applicant or customer during trial work experience or extended evaluation, in accordance with WAC 67-25-

065 and 67-25-070, if it is necessary to stabilize or halt progression of a chronic illness for purposes of determining eligibility or continued eligibility.

(5) Physical and mental restoration services include but are not limited to:

(a) Surgical and therapeutic treatment;

(b) Diagnosis and treatment for mental or emotional disorders;

(c) Dental treatment;

(d) Nursing services;

(e) Necessary hospitalization (either inpatient or outpatient care) in connection with surgery or treatment and clinic services;

(f) Convalescent or nursing home care;

(g) Drugs and supplies;

(h) Prosthetic, orthopedic or other assistive devices;

(i) Eyeglasses and visual services, including visual training, and the examination and services necessary for the prescription and provision of eyeglasses, contact lenses, microscopic lenses, telescopic lenses, and other special visual aids prescribed by qualified medical practitioners;

(j) Podiatry;

(k) Physical therapy;

(l) Occupational therapy.

(6) Physical and mental restoration services shall be provided only after consideration of comparable services and benefits except as specified in WAC 67-25-360.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-384, filed 4/4/05, effective 5/5/05; 98-23-078, § 67-25-384, filed 11/17/98, effective 12/18/98. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-384, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-384, filed 12/15/83. Formerly WAC 67-20-384.]

WAC 67-25-388 Vocational rehabilitation services—General training provisions. (1) The individualized plan for employment may include any organized form of instruction providing the knowledge and skills necessary for a customer to perform competitively in an occupation and achieve an employment outcome. Knowledge and skills may be acquired through training in an institution, on the job, by correspondence, by tutors, or through a combination of these methods. Training may be given for any occupation, except as prohibited in subsection (2) of this section.

(2) Article IX of the Washington state Constitution forbids use of public funds to assist an individual in the pursuit of a career or degree in theology or related areas.

(3) Programs or schools used to provide training shall be limited to those which are accredited, licensed, or approved either by a legal authority, or are recognized as adequate by the professional or trade group with which they are associated.

(4) The department may provide books, tools and other training materials and shall periodically establish guidelines for determining the provision of these services.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-388, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-388, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-19-003 (Order 84-04), § 67-25-388, filed 9/6/84; 84-01-042 (Order 83-08), § 67-25-388, filed 12/15/83. Formerly WAC 67-20-388.]

WAC 67-25-390 Vocational rehabilitation services—

Training—Institutions of higher education. (1) Training at a university, college, community college, vocational school, technical institute, or hospital school of nursing may be provided if necessary to achieve the employment outcome agreed upon by the customer and vocational rehabilitation counselor except as prohibited in accordance with WAC 67-25-388.

(2) No training or training services in institutions of higher education shall be paid for with vocational rehabilitation funds unless the customer has applied for financial aid and other grant assistance from other sources to pay for the training in whole or in part. If the customer has applied for financial aid and is waiting for the results, and denial of training funds by the department would result in interruption or delay of the progress of the customer toward achieving his or her employment outcome, the vocational rehabilitation counselor may pay training costs on an interim basis until the results of the financial aid application is known.

(3) A customer may attend private or out-of-state institutions of higher education in preparation for an employment outcome; however, financial assistance shall be limited to the tuition amount at the University of Washington or the actual cost, whichever is less. Exceptions may be made when required training is not available, or if other significant factors preclude the customer from attending an available training program at a public institution of higher education in the state.

(4) The department may provide financial assistance to a customer wishing to obtain a postgraduate degree when the training is necessary to achieve the individual's employment outcome. However, financial assistance shall not be provided to a customer pursuing a graduate program for the sole purpose of achieving upward mobility unless it can be determined that the customer is not currently employed in work that is consistent with his or her unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice; and the individual requires vocational rehabilitation services to prepare for, secure, retain, or regain employment of this nature.

(5) A customer receiving training at an institution of higher education must meet established scholastic standards required by the program. If the customer's grades fall below minimum standards, it shall be necessary, through assessment, counseling, and planning with the customer, to revise the individualized plan for employment including the possible selection of a new employment outcome.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-390, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-390, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-19-003 (Order 84-04), § 67-25-390, filed 9/6/84; 84-01-042 (Order 83-08), § 67-25-390, filed 12/15/83. Formerly WAC 67-20-390.]

WAC 67-25-394 Vocational rehabilitation services—

Training—On-the-job. (1) On-the-job training (OJT) is training service an employer provides to a customer, after the individual is placed in a job, to assist the customer to learn the skills needed to perform the work. On-the-job training may be provided as a vocational rehabilitation service to achieve the customer's employment outcome.

(2007 Ed.)

(2) OJT services shall be provided as a program of organized training resulting in employment of the customer, giving the individual the opportunity to learn an occupation under actual conditions of commercial, industrial, or other on-the-job employment. The department will pay for the training costs, and the employer is responsible for costs related to employment.

(3) OJT services shall be provided to a customer only when the vocational rehabilitation counselor establishes that the following conditions have been met:

(a) The training program has been prepared in advance and outlined in detail;

(b) The customer's training will follow a definite schedule of specified operations, instructions, and practices which will insure well-rounded preparation for the customer's selected occupation;

(c) A mutual understanding has been reached between the trainee—customer, the trainer—employment training provider, and the vocational rehabilitation counselor regarding the customer's employment training plan including: Length of the training period; financial arrangements; and operations and skills to be learned;

(d) The employer agrees to closely supervise the customer's work and shall submit regular reports on the customer's progress and performance to the vocational rehabilitation counselor;

(e) The training program meets any requirements for licensing in the trade or occupation in which the customer is to be employed;

(f) The employment training program for the customer is acceptable to other employees of the training provider.

(4) A business or industrial establishment utilized by the department to provide OJT services shall:

(a) Have personnel qualified with appropriate knowledge, skills, and personality to provide instruction;

(b) Have sufficiently diversified operations and adequate, suitable materials and equipment to insure a trainee thorough preparations and training within the scope and limits of his or her occupational objective;

(c) Ensure that training vocational rehabilitation customers is only incidental to the business activity of the facility;

(d) Ensure that the training program shall be consistent with the informed choice of the customer, and designed to assist him or her to achieve an employment outcome in an integrated setting.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-394, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-394, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-394, filed 12/15/83. Formerly WAC 67-20-394.]

WAC 67-25-396 Vocational rehabilitation services—

Training—Work skill building. (1) Work skill building and related employment training services may be provided to a customer through an employment service provider. This option may be appropriate if a customer is not ready for, or does not wish to receive training in an integrated setting.

(2) Work skill building training may be provided to assist the customer with:

(a) Understanding the meaning, value, and demands of work;

(b) Developing appropriate attitudes, habits, and work behaviors; and

(c) Developing functional capacities necessary to achieve an optimum employment outcome.

(3) Prior to provision of work skill building, there shall be an assessment of the individual's patterns of work behavior, and the services needed for him or her to acquire occupational skills, and to develop work attitudes, work habits, work tolerance, social skills, and behavior patterns suitable for successful job performance.

(4) Work skill building shall meet the following criteria:

(a) The training program shall be outlined in detail and agreed upon by the customer, or if appropriate, his or her representative, the vocational rehabilitation counselor, and the employment service provider, and shall include: Anticipated length of training; methods to be used; and objectives to be achieved.

(b) The training program shall, consistent with the informed choice of the customer, be designed to assist him or her to achieve an employment outcome in an integrated setting.

(c) The employment service provider agrees to closely supervise the customer's training and submit regular reports on the customer's progress and performance to the vocational rehabilitation counselor.

(d) The employment service provider is certified by the department of social and health services division of vocational rehabilitation to provide work skill building training.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-396, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-396, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-396, filed 12/15/83. Formerly WAC 67-20-396.]

WAC 67-25-398 Vocational rehabilitation services—Training—Adaptive skills of blindness. (1) Adaptive skills of blindness are those skills necessary for individuals who are blind to function independently, distinguished from the vocational skills necessary to perform a specific occupation. Adaptive skills include:

- (a) Communications, including Braille and keyboarding;
- (b) Personal management;
- (c) Orientation and mobility;
- (d) Adjustment to blindness;
- (e) Home management;
- (f) Activities of daily living;
- (g) Use of rehabilitation technology; and
- (h) Use of residual vision and related devices.

(2) Training in adaptive skills of blindness shall be provided to a customer in accordance with standards established by the department for instruction of the specific adaptive skill.

(3) Training in adaptive skills of blindness may be provided to a customer under an individualized plan for employment in accordance with WAC 67-25-260, or during the assessment to determine rehabilitation needs in accordance with WAC 67-25-257.

(4) The department may operate and maintain an orientation and training center as a structured setting to provide assessment and training in adaptive skills of blindness for customers.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-398, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-398, filed 2/28/95, effective 3/31/95.]

WAC 67-25-399 Vocational rehabilitation services—Transition services for students. (1) Transition services are a coordinated set of outcome-based activities for blind students, age fourteen to twenty-one, designed to facilitate school to employment.

(2) Activities shall be based on the individual student's needs, taking into account the student's preferences and interests. Activities shall include instruction, community experience, functional assessment, employment development, instruction in daily living skills, and development of other post-school adult living objectives. Additional activities may include post-secondary education, vocational training, integrated employment (including supported employment), adult services, and independent living.

(3) Students, age sixteen to twenty-one, who choose to seek an employment outcome will be referred to the vocational rehabilitation program.

(4) Case management activities for students who apply for vocational rehabilitation services will be coordinated between the child and family program of the department and the vocational rehabilitation program until the student leaves the K-12 school system.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-399, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-399, filed 2/28/95, effective 3/31/95.]

WAC 67-25-400 Vocational rehabilitation services—Maintenance. (1) Maintenance for living expenses may be provided only when these expenses are in excess of the normal subsistence expenses of a customer, and only when necessary for the individual to participate in services under an individualized plan for employment. Maintenance includes monetary support for food, shelter, clothing and other subsistence items.

(2) Maintenance shall be provided only after consideration of comparable services and benefits in accordance with WAC 67-25-360.

(3) Individuals with emergency needs for shelter, food, financial support, etc. will be referred to community sources who may provide these services.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-400, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-400, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.18 RCW. 88-09-006 (Order 88-1), § 67-25-400, filed 4/11/88. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-400, filed 12/15/83. Formerly WAC 67-20-400.]

WAC 67-25-404 Vocational rehabilitation services—Transportation. (1) Transportation services for travel and related expenses may be authorized if necessary for an applicant or a customer to receive any vocational rehabilitation service.

(2) Transportation may include:

(a) Fares or travel costs associated with using public or private vehicle;

(b) Food and lodging while in travel status;

(c) Wages, travel, and related expenses for a driver, attendant or aide if the services of that person are necessary for the customer to travel;

(d) Relocation and moving expenses, if necessary for the vocational rehabilitation of the individual.

(3) Transportation services shall be provided only after consideration of comparable services and benefits in accordance with WAC 67-25-360.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-404, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-404, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.18 RCW. 88-09-006 (Order 88-1), § 67-25-404, filed 4/11/88. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-404, filed 12/15/83. Formerly WAC 67-20-404.]

WAC 67-25-408 Vocational rehabilitation services—Services to family members. (1) A family member is an individual:

(a) Who is a relative or guardian of a customer, or who lives in the same household as a customer;

(b) Who is integrally involved in the vocational rehabilitation of the customer; and

(c) Whose receipt of vocational rehabilitation services would further the vocational rehabilitation of the customer.

(2) Services provided to family members may include any vocational rehabilitation services available to customers in accordance with WAC 67-25-350. However, the services must be directly related to the vocational rehabilitation of the customer. Family members of any age may be served.

(3) A vocational rehabilitation service provided to family members shall be terminated when it no longer substantially contributes to the vocational rehabilitation of the customer.

(4) Services to family members shall be provided only after consideration of comparable services and benefits in accordance with WAC 67-25-360.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-408, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-408, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-408, filed 12/15/83. Formerly WAC 67-20-408.]

WAC 67-25-412 Vocational rehabilitation services—Interpreter and translations services. (1) Interpreter services include sign language or oral interpretation services for individuals who are deaf, or hard of hearing and tactile interpretation services for individuals who are deaf-blind.

(a) Interpreter services must be provided by qualified personnel.

(b) Interpreter services shall be authorized, to the maximum extent possible, in accordance with the department of social and health services schedule of maximum allowances and program descriptions.

(2) Translation services are provided to non-English speaking individuals, and for the individual's representative if appropriate, during all phases of the rehabilitation process including mediation, fair hearing, and judicial review.

(a) Translation services include oral translation of English into the primary language of an individual.

(b) Upon request, the following written communication shall be translated into the primary language of an applicant or customer:

- (i) Application for services;
- (ii) Notification of eligibility or ineligibility;
- (iii) Individualized plan for employment;
- (iv) Notification of case closure;
- (v) Notification of annual review, if appropriate; and
- (vi) Any notice requiring a response or a signature from an individual to continue receiving services.

(c) The department shall translate the Washington Administrative Code (WAC) regarding VR services or service providers into the primary language of an applicant or customer upon his or her request.

(d) Translation services shall be authorized in accordance with procedures and fee schedules established by the department.

(3) Vocational rehabilitation expenditures for interpreter or translation services for applicants and customers will be authorized in accordance with WAC 67-25-360.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-412, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-412, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-412, filed 12/15/83. Formerly WAC 67-20-412.]

WAC 67-25-416 Vocational rehabilitation services—Reader services. (1) Reader services may be provided to an applicant or customer when necessary to the provision of other vocational rehabilitation services.

(2) Reader services consist of orally reading print material to the blind customer which is not available through other appropriate modes of communication.

(3) If reader services are necessary beyond the initial stages of employment, the department shall, if desired by the individual, assist him or her to negotiate with the employer for reader services as a reasonable accommodation.

(4) Reader services shall be purchased in accordance with the department's procedures and shall be provided only after consideration of comparable services and benefits in accordance with WAC 67-25-360.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-416, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-416, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-416, filed 12/15/83. Formerly WAC 67-20-416.]

WAC 67-25-418 Vocational rehabilitation services—Personal assistance services. (1) Personal assistance services include a range of services provided by at least one person to assist an individual with a disability to perform daily living activities, on or off the job, the individual typically would perform if he or she did not have a disability, and will not be able to perform even after receiving adaptive skills training. This includes personal attendant services: Personal services that an attendant performs for an individual with a disability, including, but not limited to, bathing, feeding, dressing, providing mobility and transportation. These services shall, to the extent appropriate and desired by the customer, include training in managing, supervising, and directing personal assistance services.

(2) Personal assistance services may be provided, if necessary, for the customer to achieve an employment outcome, and shall be provided only while the customer is receiving other vocational rehabilitation services.

(3) The case service record must document how personal assistance services will be provided after the completion of vocational rehabilitation services or, to the extent that it is not possible to identify how personal assistance services will be provided when the individualized plan for employment is developed, there must be a description of the basis for concluding that there is a reasonable expectation that resources will become available.

(4) Personal assistance services are provided only after consideration of comparable services and benefits in accordance with WAC 67-25-360.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-418, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-418, filed 2/28/95, effective 3/31/95.]

WAC 67-25-432 Vocational rehabilitation services—Rehabilitation technology and telecommunications. (1) Rehabilitation technology is the systematic application of technologies, engineering methodologies, or scientific principles to meet the needs of, and address barriers confronted by customers in education, rehabilitation, employment, transportation, independent living, and recreation. The term includes rehabilitation engineering, assistive technology devices, and assistive technology services.

(2) The department will provide, as appropriate, rehabilitation technology services throughout all phases of the vocational rehabilitation process for customers. Services include:

- (a) Assessment to determine rehabilitation technology needs;
- (b) Job site and training site analysis including testing and research;
- (c) Rehabilitation engineering services;
- (d) Comprehensive training in the use of assistive technology devices;
- (e) Procurement, installation and follow-up related to assistive technology devices.

(3) Any assistive technology device requiring an individualized prescription or fitting must be provided by a professional who meets any licensing or certification requirements to fill the prescription or to perform the fitting. Aids and devices not requiring individual fittings must meet engineering and safety standards recognized by experts in the field.

(4) Telecommunications services include telecommunication devices and relay services for individuals who are deaf or hearing-impaired. Telecommunications shall be utilized as necessary for service delivery.

(5) Rehabilitation technology services shall be provided without consideration of comparable services and benefits pursuant to WAC 67-25-360.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-432, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-432, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-432, filed 12/15/83. Formerly WAC 67-20-432.]

WAC 67-25-436 Vocational rehabilitation services—Supported employment services and extended services.

(1) Supported employment is competitive employment in an integrated setting, consistent with the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the individual, with ongoing

support services for customers with the most significant disabilities who need intensive, ongoing support to perform in a work setting.

(2) A customer may be employed in an extended employment setting in which he or she is working toward competitive employment as a planned step in the process of completing an employment outcome in supported employment. While the customer is working toward competitive employment, he or she may be certified to be paid subminimum wages, consistent with provisions of the Fair Labor Standards Act, based on his or her productivity.

(3) An individual shall be eligible to receive supported employment services if:

(a) The individual is eligible for vocational rehabilitation services in accordance with WAC 67-25-030;

(b) The individual needs intensive supported employment services from the department and ongoing services from other resources to perform competitive work due to the nature and significance of his or her disabilities; and

(c) Supported employment is an appropriate employment outcome for the individual based on a comprehensive assessment of his or her rehabilitation needs in accordance with WAC 67-25-255.

(4) A customer with an employment outcome of supported employment may receive any vocational rehabilitation service described in WAC 67-25-350.

(5) Supported employment must occur in an integrated work setting for the maximum number of hours possible, based on the unique strengths, resources, interests, concerns, abilities, and capabilities of the customer with significant disabilities. An integrated setting, in the context of supported employment, is one where:

(a) Most coworkers are not disabled and the customer is not part of a work group of individuals with disabilities; or

(b) Most coworkers are not disabled, and if a job site as described in (a) of this subsection is not possible, the customer is part of a small work group of not more than eight individuals with disabilities; or

(c) If there are no coworkers, or the only coworkers are members of a small work group of not more than eight individuals all of whom have disabilities, the customer has regular contact with nondisabled individuals (other than personnel providing support services) in the immediate work setting.

(6) The department shall provide intensive training and support services during the first eighteen months of supported employment to facilitate the customer's adjustment at the worksite and determine the need for extended services from other resources. Additional services beyond eighteen months may be authorized with supervisory approval based on evidence that additional ongoing support is needed to stabilize the individual in employment. If such evidence is not available, the department must close the case. Support must include:

(a) Ongoing assessment of the customer's employment situation, or under special circumstances or request of the customer, an assessment regarding the customer's employment situation that takes place away from the worksite to: Determine what is needed to maintain job stability; and coordinate services or provide specific intensive services that are

needed at or away from the customer's worksite to assist the individual in maintaining job stability.

(b) Intensive job skill training for the customer at the job site by skilled job trainers.

(c) Job development, job placement and job retention services.

(d) Social skills training.

(e) Regular observations or supervision.

(f) Follow-up services such as regular contacts with the customer's employer, the customer, or the customer's representative, and other appropriate individuals to help strengthen and stabilize the job placement.

(g) Facilitation of natural supports at the worksite.

(h) Other services similar to services described in (a) through (g) of this subsection.

(i) Any other vocational rehabilitation services.

(7) The customer shall transition to extended services after receiving supported employment services from the vocational rehabilitation program. Extended services are ongoing support services and other appropriate services needed to support and maintain the customer in supported employment. Long-term funding for extended services may be provided through cooperative agreements with public agencies, nonprofit agencies or organizations; employers; natural supports; and any resource other than federal vocational rehabilitation funds.

(8) An individualized plan for employment with an employment outcome of supported employment must specify the expected extended services needed and, must identify the source, including natural supports, of extended services. If the source of extended services cannot be identified when the individualized plan for employment is developed, supported employment services shall be initiated while resources to provide extended services are sought.

(9) A customer with an employment outcome of supported employment may receive post-employment services in accordance with WAC 67-25-444 when the services to be provided are not the responsibility of the extended services provider.

(10) The department shall provide transitional employment services as supported employment services for a customer with a significant disability due to mental illness. Transitional employment is a series of temporary competitive job placements in integrated work settings with ongoing support services. In transitional employment, ongoing support services must include continuing sequential job placements until job permanency is achieved.

(11) Supported employment services are provided only after consideration of comparable services and benefits in accordance with WAC 67-25-360.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-436, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-436, filed 2/28/95, effective 3/31/95.]

WAC 67-25-440 Vocational rehabilitation services—

Placement. (1) Placement services shall be provided to a customer under an individualized plan for employment to assist the individual with obtaining and retaining appropriate employment consistent with his or her employment outcome.

(2) The department and customer shall be mutually responsible to find and secure suitable employment for the

individual. The individualized plan for employment shall describe the nature and scope of placement services to be provided by the department, and the participant's responsibility to actively and independently conduct job-seeking efforts.

(3) Placement services include the following range of activities:

(a) Job development and employer relations (which may or may not be on behalf of a specific customer);

(b) Job task analysis to determine how a person who is blind can be accommodated in a position;

(c) Job-seeking skills training to prepare a customer for employment;

(d) Communication and negotiation with a variety of employment resources and other community resources regarding employment of people who are blind;

(e) Work skill building, counseling, and other follow-up and follow along services to stabilize the customer in employment until the employment outcome has been satisfactorily achieved.

(4) Placement services may be provided using the following methods:

(a) Vocational rehabilitation counselors employed by the department.

(b) An employee specializing in business relations may provide placement services through communication and negotiation with a variety of employers and community resources, regarding employment of people who are blind.

(c) No-cost placement resources in the community such as one-stop WorkSource centers, projects with industry, and other entities shall be utilized whenever possible.

(d) Placement services may be purchased when it is in the customer's vocational interests, when the department's services are not otherwise available, or when placement is offered by an employment service provider as part of a service package.

(5) Placement services shall be terminated when the customer has been provided vocational rehabilitation services, in accordance with an individualized plan for employment, which have enabled the individual to obtain and retain employment in an integrated setting consistent with his or her capacities and abilities for at least ninety days.

(6) Placement services shall be provided without consideration of comparable services and benefits in accordance with WAC 67-25-360.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-440, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-440, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-440, filed 12/15/83. Formerly WAC 67-20-440.]

WAC 67-25-444 Vocational rehabilitation services—
Post-employment services. (1) Post-employment services may be provided to a customer, subsequent to achieving an employment outcome, if necessary for the customer to maintain, regain, or advance in employment consistent with the individual's abilities, capabilities, and interests.

(2) Post-employment services are intended to provide short-term intervention related to the established employment outcome. Accordingly, post-employment services do not require a new determination of eligibility, and may be provided as long as the established individualized plan for

employment and necessary documentation are available and pertinent.

(3) Post-employment services include all vocational rehabilitation services identified in WAC 67-25-350 and are subject to any conditions affecting provision of that vocational rehabilitation service.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-444, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-444, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-444, filed 12/15/83. Formerly WAC 67-20-444.]

WAC 67-25-446 Vocational rehabilitation—Services to groups. (1) The department may provide the following vocational rehabilitation services to groups of individuals:

(a) Establishment, development, or improvement of a public or other nonprofit employment service provider providing services that promote integration and competitive employment.

(b) Development and implementation of services that enhance the use of modes of communication or telecommunications for individuals with disabilities.

(c) Technical assistance and support services, such as job site modification and other reasonable accommodations, for businesses not subject to Title I of the Americans with Disabilities Act of 1990 that are seeking to employ individuals with disabilities.

(d) Establishment of small business enterprises, operated by individuals with the most significant disabilities under supervision of the department, including, management services and supervision, and the acquisition of vending facilities, equipment, initial stocks, and supplies.

(e) Consultation services to assist educational agencies in transition of students with disabilities to post-school activities, including employment.

(f) Other services that promise to contribute substantially to the rehabilitation of a group of individuals, but that are not related directly to the individualized plan for employment of any one individual.

(2) Services to groups are provided in accordance with department procedures for the provision of these services.

[Statutory Authority: Chapter 74.18 RCW. 06-18-049, § 67-25-446, filed 8/30/06, effective 9/30/06; 05-08-097, § 67-25-446, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-446, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.18 RCW. 92-09-090, § 67-25-446, filed 4/17/92, effective 5/18/92. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-446, filed 12/15/83. Formerly WAC 67-20-446.]

WAC 67-25-448 Vocational rehabilitation services—Occupational licenses, tools, equipment, initial stocks and supplies. (1) Goods and services described in this section may be provided only under an individualized plan for employment when necessary for the customer to achieve an employment outcome. The department will pay for a customer to be bonded if the employment he or she is entering requires a bond and the customer supplies all necessary information to the bonding firm.

(2) Occupational licenses are licenses, permits, or certificates showing that the individual meets certain standards, has accomplished certain achievements, or has paid dues, fees, or has other written authority required by a state, city, or

other government unit that qualifies the individual to engage in a business, specific trade, or other work.

(3) Occupational tools include those customarily required for a worker to perform efficiently on the job, and which workers in the same or similar trade or profession are normally provided. These may include specialized tools adapted to accommodate the individual's disability.

(4) Occupational equipment includes occupational fixtures normally found in places of business. These include machinery, and appliances that are usually stationary during utilization. However, self-powered vehicles may also be provided.

(5) Initial stocks include the initial inventory of merchandise or goods necessary for a participant to enter self-employment. It may also include the initial purchase of live-stock as a base stock, and stocks of seed, fertilizer, fuel, etc., for farming or agricultural self-employment.

(6) Initial supplies include expendable items necessary for the customer to carry out day-to-day business operations, and which are consumed on the premises in the course of the customer's self-employment business or in a business enterprise location.

(7) Purchase, accountability, legal title, insurance, maintenance, and other considerations regarding provision of goods and services described in this section are addressed in the department's procedures governing their provision.

(8) Goods and services described in this section shall be provided only after consideration of comparable services and benefits in accordance with WAC 67-25-360.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-448, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-448, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-448, filed 12/15/83. Formerly WAC 67-20-448.]

WAC 67-25-452 Vocational rehabilitation services provided—Other goods and services. (1) Other goods and services not described in this chapter may be provided to a customer when necessary to determine the individual's eligibility for services and rehabilitation needs, or when necessary for the individual to achieve an appropriate employment outcome.

(2) Other goods and services, except those required for assessment of the individual, shall be provided only after consideration of comparable services and benefits in accordance with WAC 67-25-360.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-452, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-452, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-452, filed 12/15/83. Formerly WAC 67-20-452.]

WAC 67-25-460 Order of priority. (1) The purpose of an order of priority is to establish an equitable and organized system which, when resources are not sufficient to meet the demand for services, gives the first priority to those eligible vocational rehabilitation customers who meet the definition of most significantly disabled, in accordance with WAC 67-25-460.

(2) When the order of priority is in effect, eligible individuals will be assigned to one of two priority categories:

(a) First priority: New eligible customers who meet the definition of most significantly disabled.

(b) Second priority: New eligible customers who do not meet the definition of most significantly disabled.

(3) The director shall decide when to implement an order of priority, if necessary, and will determine which priority categories will be open or closed for the development of new individualized plans for employment. In the event sufficient funds or other resources become available to serve all eligible individuals, the order of priority will be revoked by the director.

(4) Eligible individuals can develop and carry out an individualized plan for employment based on:

(a) The priority of the category to which they are assigned;

(b) Whether or not that category is open for development of new plans; and

(c) The order in which they applied for vocational rehabilitation services as indicated by the date of application.

(5) Customers will be placed in the highest priority category for which they are qualified. The date of application will be used whenever it is determined that a waiting list is required for a category.

(6) Customers will be notified in writing of their category status when they are notified of their eligibility, as well as of the conditions pertaining to that category:

(a) Whether the category is open or closed.

(b) Their position on any existing waiting list.

(7) The only services to individuals in a closed order of priority category will be information and referral services. These individuals will not receive counseling and guidance, assessment and training, placement, or other vocational rehabilitation services until their category is reopened and they come off the waiting list.

(8) Customers will be notified of the right to appeal the category decision, in accordance with WAC 67-25-570, and of their responsibility to notify the department if their situation changes in a way that may affect their priority category placement.

(9) Individuals who are receiving services under an individualized plan for employment at the time an order of priority is implemented will continue to receive services as planned. They are not subject to the order of priority and are not a category within that order.

(10) The order of priority will not affect the provision of services needed to determine eligibility for vocational rehabilitation services, WAC 67-25-010 through 67-25-030.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-460, filed 4/4/05, effective 5/5/05. Statutory Authority: Federal Regulatory Authority for Order of Selection Rehabilitation Act of 1973, as amended, Section 101 (a)(5). 34 Code of Federal Regulations Part 361 Sec. 361.36 Ability to serve all eligible individuals; order of selection for services. Regulatory Authority for Information and Referral Services Rehabilitation Act of 1973, as amended, Section 101 (a)(20) Information and Referral services. 34 Code of Federal Regulations Part 361 Sec. 361.37 Information and referral services. The Rehabilitation Act of 1973, As Amended, Title I - Vocational Rehabilitation Services, Part A - General Provisions, Section 100 - Declaration of Policy. 01-21-073, § 67-25-460, filed 10/18/01, effective 11/18/01.]

WAC 67-25-540 Individualized plan for employment—Successful rehabilitation. (1) An individual shall be considered successfully rehabilitated when he or she has

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maintained an employment outcome for at least ninety days that is:

(a) The result of services provided under an individualized plan for employment;

(b) Commensurate with the individual's unique strengths, priorities, concerns, abilities, capabilities, interests, and informed choice; and

(c) Whenever possible, employment achieved is competitive as defined by being in the competitive labor market, performed on a full-time or part-time basis in an integrated setting, and the individual is compensated at or above the minimum wage, and the individual's wage and level of benefits are not less than that paid by the employer for the same or similar work performed by nondisabled individuals;

(d) In the most integrated setting possible, consistent with the individual's informed choice; and

(e) Considered to be a satisfactory employment outcome by both the customer and vocational rehabilitation counselor with agreement that the customer is performing satisfactorily on the job.

(2) The individual shall be notified of the termination decision and appeal procedures in accordance with WAC 67-25-545.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-540, filed 4/4/05, effective 5/5/05; 98-23-078, § 67-25-540, filed 11/17/98, effective 12/18/98. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-540, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-540, filed 12/15/83. Formerly WAC 67-20-540.]

WAC 67-25-545 Notification of termination. The department shall provide written notification to every individual who has applied for services, in the individual's primary language if necessary, and using appropriate modes of communication, when a determination is made to terminate services to the individual. The written notice shall specify in detail the reasons for the decision to terminate services and shall clearly inform the individual of the right to mediation and fair hearing in accordance with WAC 67-25-570. A description of client assistance program services shall also be provided.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-545, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-545, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-545, filed 12/15/83. Formerly WAC 67-20-545.]

WAC 67-25-550 Confidential information—Protection, use and release. (1) Confidential information refers to all documented and undocumented personal information, including lists of names and photographs, about any past or present applicant or customer in the vocational rehabilitation program, given or made available to the department, its representatives, or its agents in the course of the administration of the program.

(2) Customers, their representatives as appropriate, service providers, cooperating agencies, and interested persons shall be informed of the confidentiality of personal information and policies governing its use. This information shall be provided to the applicant or customer, and to the individual's representative in the individual's primary language if neces-

sary, using appropriate modes of communication, and shall include:

- (a) Identification of the authority under which information is collected;
- (b) Explanation of the principal purposes for which the department intends to use or release information;
- (c) Explanation of whether providing requested information is mandatory or voluntary and the effects of not providing requested information;
- (d) Identification of those situations where the department requires or does not require informed written consent of the individual before information may be released; and
- (e) Identification of other agencies to which information is routinely released.

(3) All personal information must be used only for purposes directly connected with the administration of the vocational rehabilitation program. Personal information shall not be shared with an organization, agency or individual not having official responsibility for administration of the program, except as provided for in subsection (6) of this section.

(4) Except as provided in (a) and (b) of this subsection, the department shall, upon receipt of a written request by a customer, release all information in that individual's record, to the individual or the individual's representative within fifteen working days.

(a) Medical, psychological, or other information that the department determines may be harmful to the individual may not be released directly to the individual, but must be provided to the individual's representative or to a qualified medical or psychological professional or to a person appointed by the court to act as that individual's representative.

(b) Personal information obtained from service providers and cooperating agencies under assurances that the information shall not be further divulged may be released only under conditions established by the other agency or organization except as provided in subsections (5) and (6) of this section.

(5) The customer may request that misleading or inaccurate information in his or her record of services be amended and that such request for amendment be documented in the individual's record.

(6) Personal information may be released to an organization, agency, or individual for purposes of audit, evaluation, or research directly connected with administration of the vocational rehabilitation program, such as the department's rehabilitation council or for purposes that would significantly improve the quality of life for customers, and only if the organization, agency, or individual assures that:

- (a) Information shall be used only for the purposes for which it is being provided;
- (b) Information shall be released only to persons officially connected with the audit, evaluation, or research;
- (c) Information shall not be released to the customer;
- (d) Information shall be managed in a manner to safeguard confidentiality; and
- (e) The final product shall not reveal any personal identifying information without the informed written consent of the customer or the individual's representative.

(7) The department may release personal information to other agencies and programs under the following conditions:

- (a) Upon receiving the informed written consent of the customer, or, the individual's representative if appropriate,

the department may release personal information to another agency or organization only to the extent that the information may be released to the customer, and only to the extent that the agency or organization demonstrates that the information requested is necessary for its program.

However, medical or psychological information that the department determines may be harmful to the individual may be released if the agency or organization assures the department that information shall be used only for the purpose for which it is being provided and shall not be released to the customer.

(b) The department shall release personal information if required by federal law or regulation.

(c) The department shall release personal information in response to investigations in connection with law enforcement, fraud, or abuse, unless expressly prohibited by federal or state laws or regulations, or in response to judicial order.

(d) The department may release personal information to protect the participant or others if the individual poses a threat to his or her safety or to the safety of others.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-550, filed 4/4/05, effective 5/5/05; 98-23-078, § 67-25-550, filed 11/17/98, effective 12/18/98. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-550, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-550, filed 12/15/83. Formerly WAC 67-20-550.]

WAC 67-25-570 Resolving a disagreement about vocational rehabilitation services. (1) If at any time during the vocational rehabilitation process, the department makes a decision relating to the provision of vocational rehabilitation services that a customer does not agree with, the customer or the customer's representative has the right to use one or more of the following options to resolve the issue:

- (a) Talk to the vocational rehabilitation counselor or to the counselor's supervisor to resolve the disagreement;
- (b) Ask for help or information from the client assistance program;

- (c) Request mediation; and/or
- (d) Request a fair hearing.

(2) Efforts to reach agreement with the vocational rehabilitation counselor or supervisor will not be used to deny or delay mediation or a fair hearing.

(3) Mediation is voluntary and must be agreed to by both the customer and the department. Mediation is not used to deny or delay a fair hearing. A customer may request both mediation and a fair hearing at the same time. If agreement is:

- (a) Reached during mediation, the fair hearing is canceled.
- (b) Not reached during mediation, the fair hearing is held as scheduled.

(4) Mediation is conducted by a trained mediator who knows the laws and rules about vocational rehabilitation services and who does not work for the department. The mediator does not make case service decisions.

- (5) During mediation, the mediator:

- (a) Allows each party to present information or evidence;
- (b) Helps each party listen to and understand the other party's position;
- (c) Reviews and explains any laws that apply; and

(d) Facilitates an agreement, if possible, between the parties.

(6) If agreement is reached during mediation, the department will provide a written statement of the agreement to the customer. Agreements made through mediation are not legally binding.

(7) The customer may choose to be represented by a family member, advocate or other individual at the mediation meeting.

(8) The department schedules mediation sessions in a timely manner at a convenient location to all parties.

(9) The department pays for costs related to mediation, except costs related to a representative or attorney engaged by the customer.

(10) The department will pay for vocational rehabilitation services necessary for the customer to participate in mediation, such as transportation or child care.

(11) Information discussed during mediation is kept confidential and may not be used in a later hearing or civil proceeding, if one is held. Before beginning a mediation session, all parties must sign a statement of confidentiality.

(12) A fair hearing is a proceeding as outlined under the Administrative Procedure Act, chapter 34.05 RCW and chapter 388-02 WAC. An administrative law judge who works for the office of administrative hearings holds a fair hearing.

(13) A customer who does not agree with a decision made by the department about eligibility or vocational rehabilitation services may ask for a fair hearing within twenty days of that decision.

(14) To ask for a fair hearing, the customer must send a written request to the office of administrative hearings. The written request must include:

(a) The customer's name, address, and telephone number;

(b) A written statement about the decision and the reasons for disagreement; and

(c) Any other information that supports the customer's position.

(15) The office of administrative hearings must hold a formal hearing within sixty days of receipt of written request for a hearing, unless:

(a) The customer or the department ask for a delay; and

(b) There is a reasonable cause for the delay.

(16) After the customer submits a request for a fair hearing, the department will offer the customer a prehearing meeting. The prehearing is optional for the customer and can be conducted in person, by telephone, or by another method agreeable to both parties. The purpose of the prehearing meeting is to:

(a) Clarify the decision with which the customer disagrees;

(b) Provide copies of laws, rules or other information to be presented in the fair hearing;

(c) Explain how the fair hearing is conducted; and

(d) Settle the disagreement, if possible.

(17) During the formal hearing, the customer and the department may present information, witnesses and/or documents to support their position.

(18) The customer may choose to be represented by an attorney, a relative, or someone else;

(19) The administrative law judge makes a decision after:

(a) Hearing all of the information presented;

(b) Reviewing any documents submitted; and

(c) Reviewing relevant federal and state laws and regulations.

(20) The office of administrative hearings sends a written report of the findings and decisions to the customer and to the department within thirty days of the formal hearing.

(21) The office of administrative hearings decision is final and the department must implement the decision.

(22) If a customer does not agree with the office of administrative hearings decision, the individual may pursue civil action through superior court to review that decision.

(23) The department will not suspend, reduce, or terminate services to a customer while waiting for a formal hearing decision, unless the department believes the customer:

(a) Provided false information to obtain vocational rehabilitation services; or

(b) Committed fraud or other criminal action to obtain vocational rehabilitation services.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-570, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-570, filed 2/28/95, effective 3/31/95. Statutory Authority: Chapter 74.18 RCW. 90-11-047, § 67-25-570, filed 5/11/90, effective 6/11/90; 88-09-006 (Order 88-1), § 67-25-570, filed 4/11/88. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-570, filed 12/15/83. Formerly WAC 67-20-570.]

WAC 67-25-590 Case service records. The department shall maintain for each applicant or eligible individual a record of services that includes, to the extent pertinent, the following documentation:

(1) If an applicant has been determined ineligible:

(a) Documentation specifying reasons for the ineligibility determination; and

(b) Documentation of a review of the determination in twelve months after the determination was made, except as provided in WAC 67-25-056.

(2) When an applicant is determined eligible:

(a) A written and dated statement of eligibility signed by the vocational rehabilitation counselor; and

(b) Supporting rationale for the determination, including documentation from the assessment for determining eligibility, in accordance with WAC 67-25-020.

(3) If it is determined that a trial work experience or an extended evaluation for an individual with a significant disability is necessary to make an eligibility determination in accordance with WAC 67-25-065 and 67-25-070:

(a) A written and dated statement of this determination signed by the vocational rehabilitation counselor;

(b) Supporting documentation, including the determination that the individual is an individual with a significant disability; and

(c) Documentation of periodic assessments in accordance with WAC 67-25-065 and 67-25-070.

(4) The individualized plan for employment for the customer in accordance with WAC 67-25-260.

(5) Documentation from the assessment for determining vocational rehabilitation needs in accordance with WAC 67-25-255 and 67-25-257 to support:

(a) The determination of the employment outcome and intermediate rehabilitation objectives for the individual; and
 (b) The nature and scope of services needed to achieve the intermediate objectives and employment outcome.

(6) Documentation of how the customer was provided information necessary to make informed choices in selecting the employment outcome, intermediate rehabilitation objectives, rehabilitation services, and providers of services identified in the individualized plan for employment.

(7) Documentation of how the customer was provided information regarding the level of integration of service provision and job placement options.

(8) If physical and mental restoration services were provided, in accordance with WAC 67-25-384, documentation supporting the determination that the clinical status of the customer was stable or slowly progressive.

(9) Documentation supporting any decision to provide services to family members in accordance with WAC 67-25-408.

(10) Documentation of the individual's participation in the cost of any vocational rehabilitation services.

(11) Documentation of the individual's eligibility for and use of any comparable services and benefits in accordance with WAC 67-25-360.

(12) Documentation that the individual has been advised of the confidentiality of all personal information, and that any information about the individual has been released with the individual's informed written consent, in accordance with WAC 67-25-550.

(13) Documentation of the reason for terminating services to a customer, in accordance with WAC 67-25-545, and, if the customer was determined rehabilitated, the basis for that determination in accordance with WAC 67-25-540.

(14) Documentation of any plans to provide post-employment services after the employment outcome has been achieved, the basis on which these plans were developed, and a description of services provided and outcomes achieved in accordance with WAC 67-25-444.

(15) Documentation concerning any action and decision resulting from a request for a fair hearing in accordance with WAC 67-25-570.

(16) If a customer has been provided vocational rehabilitation services under an individualized plan for employment, but after the initiation of these services he or she has been determined no longer capable of achieving an employment outcome, documentation of any reviews of this determination in accordance with WAC 67-25-056.

[Statutory Authority: Chapter 74.18 RCW. 05-08-097, § 67-25-590, filed 4/4/05, effective 5/5/05. Statutory Authority: Chapter 74.15 RCW. 95-06-057, § 67-25-590, filed 2/28/95, effective 3/31/95. Statutory Authority: 1983 c 194 § 18. 84-01-042 (Order 83-08), § 67-25-590, filed 12/15/83. Formerly WAC 67-20-590.]

Chapter 67-35 WAC

VENDING FACILITY PROGRAM FOR THE BLIND

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

67-35-055	Licensee—Former or current out-of-state. [Statutory Authority: 1983 c 194 § 18. 84-09-048 (Order 84-06), §
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- 67-35-055, filed 4/16/84; 84-01-043 (Order 83-09), § 67-35-055, filed 12/15/83. Formerly WAC 67-32-055.] Repealed by 93-09-013, filed 4/12/93, effective 5/13/93. Statutory Authority: Chapter 74.18 RCW.
- 67-35-056 Challenge test licensee. [Statutory Authority: 1983 c 194 § 18. 84-09-048 (Order 84-06), § 67-35-056, filed 4/16/84.] Repealed by 93-09-013, filed 4/12/93, effective 5/13/93. Statutory Authority: Chapter 74.18 RCW.
- 67-35-080 Vendor scoring—Explanation. [Statutory Authority: 1983 c 194 § 18. 84-09-048 (Order 84-06), § 67-35-080, filed 4/16/84; 84-01-043 (Order 83-09), § 67-35-080, filed 12/15/83. Formerly WAC 67-32-080.] Repealed by 92-10-024, filed 4/29/92, effective 5/30/92. Statutory Authority: Chapter 74.18 RCW.
- 67-35-350 Vendor responsibility—Maintaining equipment. [Statutory Authority: Chapter 74.18 RCW. 85-18-048 (Order 85-12), § 67-35-350, filed 8/30/85. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-350, filed 12/15/83. Formerly WAC 67-32-350.] Repealed by 95-12-007, filed 5/25/95, effective 6/25/95. Statutory Authority: Chapter 74.18 RCW.

WAC 67-35-010 Description—Purpose. The vending facility program for the blind is a part of the vocational rehabilitation program for the blind. The purpose of the vending facility program is to provide increased employment opportunities for blind citizens of the state, and at the same time, provide a visible demonstration of the normal skills of blind persons. The Washington state department of services for the blind, vending facility program, provides training and placement of blind persons in vending facilities. The primary function of this program is to provide the opportunity for the blind person to become a successful, independent business person. This is accomplished through varied informative training programs, establishment and maintenance of vending facilities, continuous professional guidance and administrative support. By legislation, blind persons participating in the vending facility program are given preference in the operation of vending facilities on federal, state, county, municipal, and other local governmental property.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-010, filed 12/15/83. Formerly WAC 67-32-010.]

WAC 67-35-020 Application—How to apply. The public may obtain additional information about the program, including how to apply for services by contacting the business enterprise program staff at the Department of Services for the Blind, P.O. Box 40933, Olympia, WA 98504-0933, phone (360) 586-1224, toll-free 1-800-552-7103. An application for service under the business enterprise program must be made to a vocational rehabilitation counselor located in any office of the department of services for the blind.

[Statutory Authority: Chapter 74.18 RCW. 96-20-076, § 67-35-020, filed 9/30/96, effective 10/31/96; 89-21-046, § 67-35-020, filed 10/13/89, effective 11/13/89. Statutory Authority: 1983 c 194 § 18. 84-09-048 (Order 84-06), § 67-35-020, filed 4/16/84; 84-01-043 (Order 83-09), § 67-35-020, filed 12/15/83. Formerly WAC 67-32-020.]

WAC 67-35-030 Terms defined. The terms defined in this section shall have the indicated meaning when used in this chapter.

(1) "Agreement" means that document issued by the department to a blind licensee assigning responsibility for the management of a designated vending facility in accordance with these rules and the terms and conditions of the permit or contract.

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(2) "Blind" means visual acuity of no more than 20/200 in the better eye with correcting lenses; or if visual acuity is greater than 20/200, a limitation in the field of vision of the better eye so that its widest diameter subtends an angle of no greater than 20 degrees, as determined by an examination by a physician skilled in diseases of the eye, or an optometrist, whichever the person chooses.

(3) "Blind licensee" or "licensee" means a person licensed by the department to operate a vending facility in the vending facility program, but who is not assigned a vending facility.

(4) "Blind vendor" or "vendor" means a person licensed by the department to operate a vending facility in the vending facility program and who is assigned a vending facility.

(5) "Contract" means the negotiated terms and conditions between the manager controlling federal or other property and the department covering the operation of a vending facility on federal or other property.

(6) "Cost of goods purchased and other operating expenses" this item of the income statement includes the cost of goods purchased and the operating expenses such as maintenance of equipment, rent, utilities, insurance, Social Security, workmen's compensation, pest control, delivery services, licenses, state and local taxes.

(7) "Department" means the Washington department of services for the blind.

(8) "Equipment" means all appliances, utensils, counters, cupboards, storage devices, furniture and other furnishings used in the operation of the vending facility, to which the department retains title.

(9) "Federal property" means any building, land or other real property owned, leased or occupied by any department, agency or instrumentality of the United States including the Department of Defense and the United States Postal Service, or any other instrumentality wholly owned by the United States.

(10) "Gross income" is the aggregate of gross sales, all machine income received by vendors, rebates and any other income received by the vending operations.

(11) "License" means a written instrument issued by the department to a blind person authorizing that person to operate a vending facility on federal or other property.

(12) "Management services" means supervision, inspection, quality control, consultation, accounting, regulating, in-service training, and other related services provided on a systematic basis to support and improve vending facilities operated by blind vendors. "Management services" does not include those services or costs which pertain to the ongoing operation of an individual facility after the initial establishment period.

(13) "Net proceeds" - (net profit) means the amount remaining from the sale of articles or services of vending facilities, and any vending machine or other income accruing to blind vendors after deducting the cost of such sale and other expenses (excluding set-aside charges required to be paid by blind vendors).

(14) "Other property" means property which is not federal property.

(15) "Permit" means the official approval given the department by another department, agency or instrumentality in control of the maintenance, operation and protection of

federal property, or a person in control of other property, whereby the department is authorized to establish a vending facility.

(16) "Public building" means any building which is owned by the state of Washington or any political subdivision thereof, and any space leased by the state of Washington or any political subdivision thereof in any privately-owned building: Provided, That any vending facility or vending machine under the jurisdiction and control of a local board of education shall not be included without the consent and approval of that local board.

(17) "Program" means the vending facility program, (also known as the business enterprises program) including all of the activities, obligations and relationships described in this chapter.

(18) "Set aside funds" means any income from vending machines on federal property received by the department and not paid to vendors as income under provision of 34 CFR, section 395.8 (a), (b), and (c).

(19) "Vending facility" means cafeterias, snack bars, vending counters, vending carts, vending machines or any combination of the above, at which food, tobacco, refreshments or sundries are offered for sale, and which operate under the vending facility program. Vending facilities will be identified by the following classifications:

(a) "Cafeteria" means a food dispensing vending facility capable of merchandising a broad variety of prepared foods and beverages. Characteristically, the cafeteria has specialized equipment, a food preparation area, and booths and tables for seating. Vending machines may be part of a cafeteria.

(b) "Other types of facilities" means those facilities not included under the cafeteria or vending machine, such as snack bars, lunch counters and dry stands which provide a variety of articles dispensed manually by the vendor.

(i) "Dry stand" means a vending facility which merchandises, among other things, tobacco, sundries and prepackaged food and refreshment items. Characteristically, the dry stand has no specialized equipment for refrigerating or heating foods or beverages, nor any food preparation area. Merchandise is consumed away from the dry stand. Vending machines may be a part of the dry stand.

(ii) "Lunch counter" means a vending facility which merchandises, among other things, lines of refreshment and food items suitable for a light meal. Characteristically, the lunch counter has specialized equipment for the refrigerating, cooking or heating of foods and beverages, and has a limited food preparation area. Merchandise may be consumed at or away from the lunch counter. Vending machines may be part of the facility.

(iii) "Snack bar" means a vending facility which merchandises, among other things, limited lines of refreshment and prepared food items. Characteristically, a snack bar has specialized equipment for refrigerating or heating foods and beverages but has no food preparation area. Merchandise may be consumed at or away from the snack bar. Vending machines may be a part of the facility.

(c) "Vending machine facility" means a vending facility comprised of coin or currency operated machines merchandising, among other things, a variety of food and refreshment items. The vendor is responsible for the management of the

machines and usually performs such functions as loading and servicing the machines and other customer-related services. Characteristically, there is no provision for booth or table seating at such a facility.

(20) "Vending machine" means any coin-operated machine offering food, refreshments, tobacco or sundries for sale.

(21) "Primary location" means any location that is acquired through the bid process pursuant to the provisions of WAC 67-35-070.

(22) "Nonprimary location" means any location that is bid per WAC 67-35-070 and is awarded for a temporary period of time not to exceed one year from the date of award.

(23) "Essential equipment" means those individual pieces of equipment, furnishings, and machinery which the department deems as basic and crucial to the operation of each particular vending facility.

(24) "Smallwares" means all other equipment, furnishings, and machinery not specifically listed by the department as "essential equipment" for each particular vending facility.

[Statutory Authority: Chapter 74.18 RCW. 95-12-007, § 67-35-030, filed 5/25/95, effective 6/25/95; 94-11-054, § 67-35-030, filed 5/10/94, effective 6/10/94; 93-10-067, § 67-35-030, filed 5/3/93, effective 6/3/93; 92-10-024, § 67-35-030, filed 4/29/92, effective 5/30/92. Statutory Authority: 1983 c 194 § 18. 84-09-048 (Order 84-06), § 67-35-030, filed 4/16/84; 84-01-043 (Order 83-09), § 67-35-030, filed 12/15/83. Formerly WAC 67-32-030.]

WAC 67-35-040 Licensing applicants. To become a blind licensee, the applicant must meet the following requirements:

- (1) Blind as defined in WAC 67-35-030(2);
- (2) A citizen of the United States;
- (3) Determined eligible for vocational rehabilitation services under 34 CFR, section 361.33;
- (4) Found by a vocational rehabilitation counselor's thorough diagnostic study to possess adequate alternative skills to the use of vision in reading, writing and independent travel;
- (5) Be referred to the business enterprise program by a vocational rehabilitation counselor;
- (6) Receive a passing grade on the business enterprise test;
- (7) Successfully complete a vendor training program including on-the-job training arranged by the business enterprise staff.

[Statutory Authority: Chapter 74.18 RCW. 93-09-013, § 67-35-040, filed 4/12/93, effective 5/13/93. Statutory Authority: 1983 c 194 § 18. 84-09-048 (Order 84-06), § 67-35-040, filed 4/16/84; 84-01-043 (Order 83-09), § 67-35-040, filed 12/15/83. Formerly WAC 67-32-040.]

WAC 67-35-045 Licensee an individual person—Not a corporate entity. The status of a licensee is a relationship between the department and an individual who is blind. A corporation cannot receive a license nor otherwise receive services and considerations under this chapter or other department programs. This rule will not affect the individual's right to establish a corporation for purposes other than services and considerations under this chapter or other department programs.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-045, filed 12/15/83. Formerly WAC 67-32-045.]

WAC 67-35-050 Licensee training. The department operates a training program for those who have met the requirements in WAC 67-35-040. In accepting applicants into the training program, preference is given to those who are in need of work, otherwise applicants are entered into the program according to the earliest date of application. The department provides or causes to be provided a program which includes training and experience with written criteria which the trainee must achieve. The training program is of undetermined length, and the time of completion depends upon the trainee's ability to meet the criteria set forth in the program. Upon successful completion of the program, the trainee receives a license and is eligible for benefits granted a licensee in this chapter.

[Statutory Authority: 1983 c 194 § 18. 84-09-048 (Order 84-06), § 67-35-050, filed 4/16/84; 84-01-043 (Order 83-09), § 67-35-050, filed 12/15/83. Formerly WAC 67-32-050.]

WAC 67-35-051 Licensees—Geographic availability—Certification. Licensees are required to indicate geographic availability at time of certification. Any licensee who fails to bid on an available vending facility within the geographic area of availability will be removed from the bidding process and will be required to request reinstatement to the bidding process. Their reinstatement will be determined by the business enterprise director in conjunction with the vendors' committee.

[Statutory Authority: 74-18 [chapter 74.18 RCW]. 95-01-066, § 67-35-051, filed 12/15/94, effective 1/15/95.]

WAC 67-35-060 Selecting a licensee or vendor to operate vending facility—Notice. When a vending facility becomes available a "notice of available facility" is prepared by the vending facility program staff and sent to all licensees and vendors. The "notice of available facility" will contain sufficient information to enable licensees and vendors to determine if they are interested in applying to become the vendor in the available facility. A closing time and date for accepting applications is specified in the "notice," but in no event shall the closing time be less than ten business days from the date of mailing, unless the department declares an emergency requiring less than ten business days notice. Only written applications will be accepted. Lack of response from a licensee or vendor within the allotted time period will be considered to be a negative response. Applications are date stamped when they are received.

[Statutory Authority: Chapter 74.18 RCW. 92-10-024, § 67-35-060, filed 4/29/92, effective 5/30/92. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-060, filed 12/15/83. Formerly WAC 67-32-060.]

WAC 67-35-070 Selecting a vendor or licensee to operate a primary location vending facility. When a primary location vending facility becomes available, the business enterprise staff will send a written "notice of availability" to all vendors and all licensees as indicated by WAC 67-35-060.

A licensee or vendor bidding on the available primary location must submit their interest in writing to the department by 5:00 p.m. on the closing date of the bid. Bids received after the closing time and date will not be considered and the bids will be returned to the bidder.

ELIGIBILITY REQUIREMENTS TO BID ON A PRIMARY LOCATION

(1) If only one otherwise eligible (see subsections (2) through (8) of this section) vendor or licensee bids on an available vending location, that individual will receive that available location.

(2) A vendor must have been assigned to and have actively operated their present location for a minimum of twelve months. If there are no eligible bidders on a primary location, bids will be accepted from vendors who are eligible and have less than twelve months at their present location.

(3) Vendors must have provided the department with current monthly financial statements and have shown a cumulative total net profit on their last twelve months financial statements. Vendors who have not operated a vending facility for twelve consecutive months must use their certification test score for bidding purposes.

(4) Former vendors, who operated a vending facility within the last twelve months, and have provided the department with their most current monthly financial statements, must show a cumulative total net profit on their last twelve months financial statement. If they have not been a business enterprise vendor within the last twenty-four months, they will be required to take the certification test and they will use this score for bidding purposes.

(5) Licensees must have completed the agency sponsored training program and have taken the certification test and received a passing score of seventy percent or better.

(6) Vendors, former vendors, and licensees must include a completed job application with their bid indication. Additional information is encouraged but is not a replacement for the application.

(7) Be current in the payment of all federal and state taxes, Social Security taxes, unemployment taxes, and worker's compensation.

(8) Not owe the department of services for the blind for any back rents, missing equipment, or back inventories.

INTERVIEW PANEL COMPOSITION

The panel will include one representative of the business enterprise program, one representative of the vendors committee, and one representative of the building management of the available location.

APPLICATION SCREENING PROCESS

The interview panel will receive and review all of the applications of the vendors who responded to the notice of availability plus applications of the licensees with the top two scores on the certification test.

Applicants will be selected based on their education and prior work experience in: Operating a similar food service facility to the one on the notice of availability, operating a different type of food service facility, participation in the business enterprise program all state meetings, and vendor committee meetings, or other program support and career enhancement training programs at colleges or universities.

Each panel member will select five applicants. Those applicants as well as the two licensees will be scheduled for an interview. The total number of applicants to be interviewed will not exceed seventeen.

THE INTERVIEW PROCESS

During the interview the panel will complete an applicant rating form for each applicant. The panel will rate each applicant on the interview questions and will use those ratings as guidelines for final selection. The panel selects the applicant who will operate the location.

All interviewed applicants will be notified of the results of the interview.

[Statutory Authority: 74-18 [chapter 74.18 RCW], 95-01-066, § 67-35-070, filed 12/15/94, effective 1/15/95. Statutory Authority: Chapter 74.18 RCW. 92-10-024, § 67-35-070, filed 4/29/92, effective 5/30/92; 85-18-048 (Order 85-12), § 67-35-070, filed 8/30/85. Statutory Authority: 1983 c 194 § 18. 84-09-048 (Order 84-06), § 67-35-070, filed 4/16/84; 84-01-043 (Order 83-09), § 67-35-070, filed 12/15/83. Formerly WAC 67-32-070.]

WAC 67-35-071 Operation of a vending facility in the absence of an assigned vendor. When a vendor resigns, leaves, or is removed from a facility, the department may appoint an operator for that facility on an emergency basis until the department is able to select a permanent vendor for that facility as outlined in WAC 67-35-060.

[Statutory Authority: Chapter 74.18 RCW. 93-01-026, § 67-35-071, filed 12/7/92, effective 1/7/93.]

WAC 67-35-072 Vendor status—Loss of any vending facility to the VF program. The loss of any vending facility to the vending facility program for reasons beyond the control of the vendor assigned that facility, as determined by the staff of the vending facility program, shall permit assignment of the next available vending facility to that vendor. When a vendor loses the vending facility he/she will be required to indicate geographic availability and will be assigned the next available vending facility within the indicated geographic location. Any vendor who refuses the next available vending location will be required to submit an application for facilities as they become available.

[Statutory Authority: 74-18 [chapter 74.18 RCW], 95-01-066, § 67-35-072, filed 12/15/94, effective 1/15/95. Statutory Authority: 1983 c 194 § 18. 84-09-048 (Order 84-06), § 67-35-072, filed 4/16/84.]

WAC 67-35-075 Selection of a licensee or vendor to operate a vending facility during a leave of absence of a vendor. When a vendor is granted a leave of absence in accordance with WAC 67-35-415, all licensees and vendors will be informed of the available location. The terms and conditions of the leave of absence and selection of the licensee or vendor will be in accordance with the selection processes utilized for the selection for any available location. A licensee or vendor assuming the responsibility for a location and entering into an agreement in accordance with WAC 67-35-090 of this chapter will, during a leave of absence of the assigned vendor, be entitled to the profits, or salary or profits, generated by the location in accordance with all contracts and agreements, and will be given thirty days notice prior to the termination of the leave of absence.

A licensee assuming responsibility for a location, who wishes to be considered for selection into an available location as a vendor, will retain his/her certification score until a score can be given based upon his/her performance in the location in the same way that all vendors achieve scores.

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[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-075, filed 12/15/83. Formerly WAC 67-32-075.]

WAC 67-35-078 Nonprimary location vending facility—How awarded or assigned. When a notice of availability of a primary vending facility is bid per WAC 67-35-060 and 67-35-070, and there are no primary bids received, the department will accept bids for the same facility as a nonprimary vending facility. If there are no primary or nonprimary bids the department, in consultation with the blind vendors committee, will decide if the facility should remain in the business enterprise program.

[Statutory Authority: Chapter 74.18 RCW. 93-01-026, § 67-35-078, filed 12/7/92, effective 1/7/93.]

WAC 67-35-082 Vendor selection review. A licensee or vendor who has applied for a vending facility under WAC 67-35-060 may upon request receive a review of the correctness of the selection process from the director of the department or his/her designee. The review must be requested within ten calendar days of the completion of the selection process for which the licensee or vendor has applied.

[Statutory Authority: Chapter 74.18 RCW. 93-01-026, § 67-35-082, filed 12/7/92, effective 1/7/93. Statutory Authority: 1983 c 194 § 18. 84-09-048 (Order 84-06), § 67-35-082, filed 4/16/84.]

WAC 67-35-090 Assignment to a vending facility—Agreement. To execute the assignment of a licensee or vendor to a vending facility, the licensee or vendor shall enter into an agreement with the department which states the terms and conditions of the assignment to the specific vending facility. The department will provide each vendor with a copy of these rules which include the description of the arrangements for providing services. The department will take adequate steps to assure that each vendor understands the provisions of any permit, contract or agreement under which he/she operates as evidenced by the vendor's signed statement. No vendor will operate a vending facility unless he/she signs a vendor agreement. An existing agreement between the department and a vendor is automatically terminated when the vendor signs a new agreement with the department.

[Statutory Authority: Chapter 74.18 RCW. 89-21-046, § 67-35-090, filed 10/13/89, effective 11/13/89. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-090, filed 12/15/83. Formerly WAC 67-32-090.]

WAC 67-35-100 Postemployment services. A vendor shall be provided with such postemployment services as are necessary to assure that the maximum vocational potential of each blind vendor is achieved. The postemployment services will be provided by the vocational rehabilitation counselor. Postemployment services will be provided in accordance with 34 CFR, section 361.42 (a)(13).

[Statutory Authority: Chapter 74.18 RCW. 85-18-048 (Order 85-12), § 67-35-100, filed 8/30/85. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-100, filed 12/15/83. Formerly WAC 67-32-100.]

WAC 67-35-110 Discrimination prohibited. The department, through its staff or any other agency, through any contract, permit or agreement is prohibited from discriminating against any licensee or vendor on the basis of race,

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color, sex, national origin, creed or religion, physical or mental impairment, age, marital status or political affiliation.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-110, filed 12/15/83. Formerly WAC 67-32-110.]

WAC 67-35-120 State committee of blind vendors—Election—Representation—Meetings. The committee of blind vendors consists of seven vendors elected by vendors representing three geographical areas of the state, Eastern Washington, Northwest Washington, and Southwest Washington. A minimum of one vendor will be elected from each geographical area and one committee vendor is elected at large by all vendors on a statewide basis.

(1) Members of the committee are elected for a two-year term and are elected during the month of January. Four of the committee members are elected during odd-numbered years and three committee members are elected during even-numbered years. Any vendor serving as a representative who chooses to transfer, ceases to be a vendor, or who promotes to a vending facility outside the area that he/she represents, thereby relinquishes membership in the vendors committee. The vendors in an area having lost such vendor committee representation shall elect a replacement vendor committee person for the remainder of that term. All vendors are entitled to vote in the election. The committee elects its own chair and vice-chair.

(2) There will be a minimum of four blind vendor committee meetings per year. Additional meetings can be called by the manager of the business enterprise program or by the chair of the vendors committee.

(3) The department will conduct all elections and pay for all expenses in connection therewith and publish the results.

[Statutory Authority: Chapter 74.18 RCW. 89-21-046, § 67-35-120, filed 10/13/89, effective 11/13/89. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-120, filed 12/15/83. Formerly WAC 67-32-120.]

WAC 67-35-130 Blind vendors committee—Purpose.

(1) The blind vendors committee shall:

(a) Actively participate with the department in major administrative decisions and policy and program development decisions affecting the overall administration of the vending facility program;

(b) Receive and transmit to the department grievances at the request of vendors, and serve as the advocates for such vendors in connection with such grievances;

(c) Actively participate with the department in the development and administration of the department's system for the transfer and promotion of vendors;

(d) Actively participate with the department in the development of training and retraining programs for vendors;

(e) Sponsor, with the assistance of the department, meetings and instructional conferences for vendors.

(2) The department is ultimately responsible for administration of the vending facility program. The department will consider any blind vendor committee written recommendation. If the department does not adopt recommendations proposed by the blind vendor's committee, the department shall notify the committee in writing within thirty days.

[Statutory Authority: Chapter 74.18 RCW. 85-18-048 (Order 85-12), § 67-35-130, filed 8/30/85. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-130, filed 12/15/83. Formerly WAC 67-32-130.]

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WAC 67-35-140 Vending machine income disbursed by department. Vending machine income from vending machines on federal property which has been received by the department pursuant to 34 CFR, section 395.32 (b), (c) and (d) shall be paid to each blind vendor (if any) operating a vending facility on such federal property in an amount not to exceed the average income of all blind vendors in the state of Washington as determined each fiscal year on the basis of each prior year's operation, or the average net income of all blind vendors in the United States, whichever is less.

(1) No vendor shall receive less vending machine income than he/she was receiving during the calendar year 1973 as a direct result of any limitation imposed on such income by this section.

(2) No limitation shall be imposed on income from vending machines combined to create a vending facility, when such facility is maintained, serviced or operated by a blind vendor.

(3) The department shall disburse vending machine income to vendors on at least a quarterly basis.

(4) Vending machine income from vending machines on federal property received by the department and not eligible for distribution to blind vendors under the provisions of this section shall be retained by the department.

(5) Vending machine income which is retained under subsection (4) of this section shall be used by the department for the establishment and maintenance of retirement or pension funds, for health insurance contributions, and for the provision of paid sick leave and vacation time, for vendors, if it is so determined by a majority vote of all vendors after the department has provided to each vendor information on all matters relevant to such purposes. Any vending machine income not necessary for such purposes shall be used by the department for the maintenance and replacement of equipment, the purchase of new equipment, management services, and assuring a fair minimum return to vendors.

[Statutory Authority: Chapter 74.18 RCW. 85-18-048 (Order 85-12), § 67-35-140, filed 8/30/85. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-140, filed 12/15/83. Formerly WAC 67-32-140.]

WAC 67-35-150 Federal vending machine income—

Use as determined. (1) Vending machine income received by the department as described in WAC 67-35-140(4) shall be known as federal vending machine income.

(2) Each year the blind vendors will vote to utilize the federal vending machine income for retirement or pension, health insurance, paid sick leave, or paid vacation.

(3) Any federal vending machine income not necessary for proposal described in subsection (2) of this section shall become set aside funds and will be used for the repair of vending facility equipment, the replacement of obsolete or worn-out vending facility equipment, the purchase of new or additional vending facility equipment in existing facilities, management services, and the costs necessary to the conduct of the state blind vendor's committee.

[Statutory Authority: RCW 74.28.200 - 74.28.230 [74.18.200 - 74.18.230]. 86-08-010 (Order 86-2), § 67-35-150, filed 3/21/86. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-150, filed 12/15/83. Formerly WAC 67-32-150.]

WAC 67-35-160 Business enterprises revolving fund.

(1) There is established in the general fund of the state of Washington an account known as the business enterprises revolving fund (BERF).

(2) The net proceeds from any vending facility or any vending machines in public buildings dedicated to administrative functions, other than such an operation managed by or assigned to a vendor, shall be made payable to the business enterprises revolving fund.

(3) "Administrative functions" for purposes of this section shall mean the administrative offices of all state and local entities but does not mean any separately identified service operations performed by the public entity. For example:

(a) Net proceeds from machines located in administrative offices of the state, county and local governments are to be paid; but such income from machines located in places attended by the public for recreational purposes maintained by a municipality or governmental agency, a domed stadium, within jails, etc., is exempt.

(b) Net proceeds from machines located in administrative buildings located in colleges and universities are to be paid; but such income from machines located in dormitories, student activity centers, places where sporting events occur, etc., is exempt.

(c) Net proceeds from machines located in administrative offices of public utilities and port districts are to be paid; but such income from machines located in areas of airports, hospitals, etc., which the public regularly attends, is exempt.

(4) Net proceeds from machines located in state and federal safety roadside rest areas are to be paid.

(5) Net proceeds for purposes of this section shall mean the gross amount received less the cost of the operation including a fair minimum return to the vending machine company. As a minimum, the net proceeds received by the department shall not be less than ten percent of the gross sales of the vending machine.

[Statutory Authority: Chapter 74.18 RCW. 85-19-048 (Order 85-13), § 67-35-160, filed 9/13/85. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-160, filed 12/15/83. Formerly WAC 67-32-160.]

WAC 67-35-170 Business enterprises revolving fund—Uses. All moneys in the business enterprises revolving fund shall be expended only for equipment, services and payment to vendors in the vending facility program.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-170, filed 12/15/83. Formerly WAC 67-32-170.]

WAC 67-35-180 Access to program and financial information. The department shall provide to any interested person program and financial information and interpretation concerning the operation of the program, except that confidential information concerning any applicant, trainee, licensee or vendor shall not be released directly or indirectly without written permission of such applicant, trainee, licensee, or vendor as specified in 34 CFR, 361.49; chapter 42.17 RCW and attendant regulations; and department policy B-21.

[Statutory Authority: Chapter 74.18 RCW. 85-18-048 (Order 85-12), § 67-35-180, filed 8/30/85. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-180, filed 12/15/83. Formerly WAC 67-32-180.]

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WAC 67-35-190 Department responsibility—Development of new vending facility locations. (1) The staff of the vending facility program will select suitable locations for vending facilities and negotiate with the property management a permit or contract specifying the space to be occupied, hours of operation, services and articles to be vended, equipment to be installed and other items as required. The permit or contract will be executed between the department and the management of the property where the vending facility is located.

(2) A suitable location or site shall mean an area fully accessible to vending facility patrons and having:

(a) A minimum of two hundred fifty square feet available for the vending and storage of articles necessary for the operation of a vending facility; and

(b) Sufficient electrical, plumbing, heating, and ventilation outlets for the location and operation of a vending facility in accordance with applicable health laws and building codes; and

(c) A building population that is determined by the business enterprise program staff to be sufficient to provide the blind vendor with reasonable income.

[Statutory Authority: Chapter 74.18 RCW. 85-18-048 (Order 85-12), § 67-35-190, filed 8/30/85. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-190, filed 12/15/83. Formerly WAC 67-32-190.]

WAC 67-35-200 Department responsibility—Architecture and construction. The department will select and provide architectural services and follow through on construction of the facility, within the guidelines prescribed by the state department of general administration, division of engineering and architecture, the state division of health and the local health department having jurisdiction.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-200, filed 12/15/83. Formerly WAC 67-32-200.]

WAC 67-35-210 Department responsibility—Essential equipment and smallwares. The department will provide essential equipment and initial smallwares the department deems appropriate for the efficient operation of the vending facility. The right, title to, and interest in all initial equipment and smallwares will be vested in the department.

[Statutory Authority: Chapter 74.18 RCW. 95-12-007, § 67-35-210, filed 5/25/95, effective 6/25/95. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-210, filed 12/15/83. Formerly WAC 67-32-210.]

WAC 67-35-215 Vendor responsibility—Smallwares. The vendor is required to maintain all smallwares in good condition as established by the department at the time the vendor assumes operation of the facility. In the event that any smallwares must be replaced, the vendor will pay the cost of replacement.

In the event that a vendor should discontinue to operate the vending facility, the vendor or the vendor's heirs will furnish to the department an amount of smallwares equal to those initially provided for the vending facility, in suitable condition as determined by departmental policy.

[Statutory Authority: Chapter 74.18 RCW. 95-12-007, § 67-35-215, filed 5/25/95, effective 6/25/95.]

WAC 67-35-220 Department and vendor responsibility—Initial consumable stocks and cash. The department will provide funds for the initial consumable stocks and supplies, and minimum operating cash required to commence operation of the facility, as determined by departmental policy.

The vendor will be required to repay the department for the initial consumable stocks and supplies and operating cash according to a set repayment plan as outlined in departmental policy.

The right to and interest in the initial consumable stock and operating cash will remain with the department until the vendor has repaid the department in full. In the event that a vendor should discontinue to operate the vending facility, the vendor or the vendor's heirs will furnish to the department an amount of saleable stock as determined by departmental policy, and/or cash equal in monetary value to the amount currently owed to the department under the conditions of the repayment plan.

[Statutory Authority: Chapter 74.18 RCW. 95-12-007, § 67-35-220, filed 5/25/95, effective 6/25/95. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-220, filed 12/15/83. Formerly WAC 67-32-220.]

WAC 67-35-230 Department and vendor responsibility—Maintained facility and equipment. (1) The department will, within program resources, maintain or cause to be maintained each facility in good repair and attractive condition. The department will, within program resources, or in accordance with terms and conditions of the permit or contract, replace, or cause to be replaced obsolete or worn-out equipment which has been deemed essential for the operation of the vending facility.

(2) When a vendor takes over the operation of a vending facility, the department will, within program resources, pay for all repair charges during the first six months of operation. After the first six months of operation, the vendor will be required to pay the cost of all repairs and maintenance on all facility equipment. Failure to promptly repair essential equipment will be grounds for immediate suspension of a vendor's operating agreement prior to an evidentiary hearing (WAC 67-35-430).

(3) The vendor will be responsible to exercise proper care of and maintain all equipment and furnishings assigned to the vending facility. This includes, but is not limited to, proper and regular cleaning and sanitation practices. A regular maintenance schedule will be provided by the vendor to the department for approval.

(4) For purposes of this section, vending facility equipment shall include equipment provided by the department and equipment furnished as a part of the contract or permit for which the department and operator assumes the responsibility of maintenance.

[Statutory Authority: Chapter 74.18 RCW. 95-12-007, § 67-35-230, filed 5/25/95, effective 6/25/95; 94-15-052, § 67-35-230, filed 7/15/94, effective 8/15/94. Statutory Authority: RCW 74.28.200 - 74.28.230 [74.18.200 - 74.18.230]. 86-08-010 (Order 86-2), § 67-35-230, filed 3/21/86. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-230, filed 12/15/83. Formerly WAC 67-32-230.]

WAC 67-35-240 Department responsibility—Vendor-owned equipment. The vendor may purchase with the knowledge of the department vending facility equipment.

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The department shall retain a first option to repurchase such equipment if vendor places the equipment up for sale. In the event the vendor dies, or for any reason ceases to be a vendor, ownership of such equipment that is necessary for the operation of the facility shall become vested in the department for transfer to a successor vendor subject to an obligation on the part of the department to pay to the vendor, or the vendor's estate the fair value of the equipment. The vendor, the vendor's personal representative or next of kin shall be entitled to an opportunity for a full evidentiary hearing with respect to the determination of the necessity of the equipment or the amount to be paid by the department for the vendor's ownership in the equipment. When dissatisfied with any decision rendered as the result of such hearing, the vendor, the vendor's personal representative or next of kin, may file a complaint with the secretary under 45 CFR, section 1369.13 to request the convening of an ad hoc arbitration panel.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-240, filed 12/15/83. Formerly WAC 67-32-240.]

WAC 67-35-250 Department responsibility—Advance training. The department will provide vendors with an opportunity to obtain training and information so as to increase their skills and assist them in upward mobility. This training and information shall include training provided by the vending facility program; opportunity to engage in home study through the use of tape recorded instructions provided by the department; and at least one instructional meeting per year conducted by the blind vendors committee with the assistance of the department.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-250, filed 12/15/83. Formerly WAC 67-32-250.]

WAC 67-35-260 Department responsibility—Opening for business. The department will assist the vendor upon request in procuring the necessary business licenses and permits; in selecting the necessary employees; and otherwise assist a vendor in opening a new facility for business.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-260, filed 12/15/83. Formerly WAC 67-32-260.]

WAC 67-35-270 Department responsibility—Consultation. The staff of the vending facility program is available to the vendor during regular office hours either in person or by telephone, to work with the vendor in resolving problems; and to develop procedures to secure a maximum net profit for the vendor; the maximum service to the patrons; and a feeling of cooperation between building management, the blind vendor and the department.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-270, filed 12/15/83. Formerly WAC 67-32-270.]

WAC 67-35-280 Department responsibility—Inspection—Required contacts. The vending facility program staff will make annual inspections of the vending facility. The results will be reviewed with the vendor to determine if improvements can be made, and if so, what actions should be taken. The vending facility program staff upon adequate notice to the vendor shall inspect records and reports kept by the vendor.

[Statutory Authority: Chapter 74.18 RCW. 85-18-048 (Order 85-12), § 67-35-280, filed 8/30/85. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-280, filed 12/15/83. Formerly WAC 67-32-280.]

WAC 67-35-290 Department responsibility—Contact with property management. The staff of the vending facility program will make regularly scheduled contacts with the property management person controlling the property where the vending facility is located to determine if terms of the permit or contract are being met and to process any other problems or requests which may exist.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-290, filed 12/15/83. Formerly WAC 67-32-290.]

WAC 67-35-300 Department responsibility—Negotiation with vending machine companies. The staff of the vending facility program may negotiate agreements with vending machine companies for the installation of vending machines in public buildings and determine where the net proceeds from each machine shall go.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-300, filed 12/15/83. Formerly WAC 67-32-300.]

WAC 67-35-310 Public liability insurance. The vendor shall obtain and maintain continuously public liability insurance with limits of liability not less than:

\$1,000,000.00 each person personal injury,
\$1,000,000.00 each occurrence personal injury, and
\$1,000,000.00 each occurrence property damage; or
insurance coverage specified in the permit or contract,
whichever is greater. A vendor operating a vending
facility is required by the department to have this insur-
ance and is required to provide proof of insurance to the
department on an annual basis. Failure to have this
insurance will result in suspension.

[Statutory Authority: Chapter 74.18 RCW. 89-21-046, § 67-35-310, filed 10/13/89, effective 11/13/89; 85-18-048 (Order 85-12), § 67-35-310, filed 8/30/85. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-310, filed 12/15/83. Formerly WAC 67-32-310.]

WAC 67-35-320 Vendor responsibility—Independent—Not state employee. The vendor is an independent vendor in the vending facility program and in no way can be considered to be an employee of the department. The blind vendor receives all profits from the vending facility except as provided for in WAC 67-35-140(4).

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-320, filed 12/15/83. Formerly WAC 67-32-320.]

WAC 67-35-330 Vendor responsibility—Applicable federal and state laws, rules and regulations. The vendor will assume responsibility for securing and renewing all necessary business licenses and paying all fees required by and for the operation of the facility. It is the responsibility of the vendor to operate the facility in accordance with all federal and state laws, rules and regulations; including applicable health laws, rules and regulations.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-330, filed 12/15/83. Formerly WAC 67-32-330.]

WAC 67-35-340 Vendor responsibility—Vending facility management—Nondiscrimination. The vendor is

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responsible for maintaining a high level of customer service to assure the maintenance of the vending location and accommodate within reasonable limits other persons who may come to the facility. Determination of appropriate vending facility management activities will be in accordance with generally accepted practices in the food service industry and satisfaction of the building population and the building management. No customer or employee can be discriminated against by reason of race, color, sex, national origin, creed or religion, physical or mental impairment, age, marital status or political affiliation.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-340, filed 12/15/83. Formerly WAC 67-32-340.]

WAC 67-35-360 Vendor responsibility—Termination of agreement. Any vendor whose agreement with the department has been terminated for any reason is responsible to return to the department miscellaneous equipment, small-wares, initial stock and supplies, and minimum operating cash equal in monetary value as determined by departmental policy to those originally furnished by the vending facility program. Any vendor refusing to comply with the responsibilities in this section shall have their license terminated subject to the opportunity for a full evidentiary hearing.

[Statutory Authority: Chapter 74.18 RCW. 95-12-007, § 67-35-360, filed 5/25/95, effective 6/25/95. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-360, filed 12/15/83. Formerly WAC 67-32-360.]

WAC 67-35-370 Vendor responsibility—Cooperate. It is the responsibility of the vendor to cooperate with the duly authorized representative of the department in connection with their official responsibilities; to take no action derogatory to, or inconsistent with the paramount right, title and interest of the department of services for the blind to the vending facility, its equipment, or the contract or permit with the management of the property where the facility is located.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-370, filed 12/15/83. Formerly WAC 67-32-370.]

WAC 67-35-380 Vendor responsibility—Reports. It is the vendor's responsibility to submit such reports of the operation of the vending facility at such times, and in such formats, as the department may from time to time require. The reports may include, but not necessarily be limited to, the following items for the reporting period: Gross sales, beginning inventory, purchases, ending inventory, gross profit, personnel costs, other expenses, total expenses, net profit, percentage of profit, other income and total profit.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-380, filed 12/15/83. Formerly WAC 67-32-380.]

WAC 67-35-390 Vendor responsibility—Accounts payable. The vendor will be responsible for the payment of all goods and services, materials and merchandise, received from suppliers subsequent to the initial stock and supplies provided by the department. The vendor must assure each supplier that accounts are based on the vendor's credit record or reference.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-390, filed 12/15/83. Formerly WAC 67-32-390.]

WAC 67-35-400 Vendor responsibility—Employment of staff. The vendor is responsible for sufficient staff to assure the efficient operation of the facility and to provide adequate service to the customers. The vendor's relationship to his/her employed staff shall be the normal employer-employee relationship existing in private business enterprises.

(1) In the employment of a temporary relief vendor the vendor shall give preference to a licensee of the vending facility program.

(2) The vendor will maintain all records, make all payments, and make all reports required of an employer by federal, state and local statutes.

(3) The vendor will pay employees an agreed upon wage in accordance with applicable state and federal laws and/or contract provisions.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-400, filed 12/15/83. Formerly WAC 67-32-400.]

WAC 67-35-410 Vendor responsibility—Rebates. Rebates, commissions or bonuses received by the vendor from suppliers must be accounted for as income of the vending facility. Under no circumstances can such funds be treated as separate personal funds of the vendor.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-410, filed 12/15/83. Formerly WAC 67-32-410.]

WAC 67-35-415 Leave of absence for prolonged illness or physical incapacity. A vendor in the business enterprises program may request and may be granted a leave of absence for a period of up to twelve months.

A vendor may request a leave of absence when the vendor is unable to maintain his/her responsibilities in a location by reason of a physical or mental condition. A leave of absence will be granted to a vendor:

(1) Only when such request is initiated by that vendor; and

(2) When the mental or physical condition is verified by a medical doctor licensed to practice in the state of Washington; and

(3) Such condition is so prolonged and/or so serious as to cause strong doubt on the part of the vendor and the agency as to the vendor's capacity to maintain full management of his/her location; and

(4) For a total maximum period not to exceed twelve months.

The vendor who has been granted a leave of absence will retain his/her license. His/her agreement to manage a location will be held in abeyance during the leave of absence.

A leave of absence will be terminated by the department at the end of twelve months of [or] sooner, and the vendor will resume the responsibility for his/her location and the agreement reinstated when the mental or physical condition no longer prohibits the vendor from maintaining responsibilities for his/her location.

(5) When verified by a medical doctor licensed to practice in the state of Washington; and/or

(6) When verified by a statement of completion of a program of training or retraining designed to overcome the effects of the mental or physical condition necessitating a leave of absence.

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A leave of absence will be terminated by the department at the end of twelve months or sooner, and the vendor's license and/or agreement will be terminated:

(a) When the mental or physical condition is of such duration or severity, as verified by a medical doctor licensed to practice in the state of Washington, that it renders the vendor unable to resume responsibility for the management of that location; and/or

(b) When the vendor fails to complete a program of training or retraining designed to overcome the effects of the mental or physical condition and is unable to resume responsibility for the management of that location.

Upon granting a vendor a leave of absence, the department will assume responsibility for that vendor's location. The department will select a licensee or vendor to manage the location. In the event a licensee or vendor is not available to assume the responsibility of a location while the vendor is on a leave of absence, the department may make such arrangements as necessary to assure the ongoing management of such location. Any profits available in excess to those necessary to secure the management of the location shall accrue to the business enterprises revolving fund.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-415, filed 12/15/83. Formerly WAC 67-32-415.]

WAC 67-35-420 Termination of license—Termination of agreement for cause only. The license to participate in the program is issued for an indefinite period of time. However, the vendor's license and vendor's agreement with the department may be terminated after a thirty-day notice and/or after affording the vendor or licensee an opportunity for a full evidentiary hearing if the department finds that the vending facility is not being operated in accordance with its rules, the terms and conditions of the permit or contract, or the terms and conditions of the agreement between the vendor and the department. Following the completion of the thirty-day notice the vendor's license will be terminated and the vendor's agreement shall be terminated pending completion of the full evidentiary hearing process, the convening of any ad hoc arbitration panel and court review. Following termination of the vendor's agreement the department will operate the vending facility until any grievance procedure is completed. The net profit from the operation of the vending facility during this time will be placed in trust in the business enterprises revolving fund for disbursement in accordance with any final decision of the grievance process.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-420, filed 12/15/83. Formerly WAC 67-32-420.]

WAC 67-35-425 Termination of vendor's agreement—Not affecting licensure. A vendor's agreement will be terminated without affecting licensure under any of the following three conditions:

(1) When a vendor ceases to be a vendor of an existing vending facility by voluntary withdrawal in writing;

(2) When the vending facility ceases to be a vending facility by revocation of the permit or contract by either the department or by building management;

(3) When the vendor signs a new vendor agreement.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-425, filed 12/15/83. Formerly WAC 67-32-425.]

WAC 67-35-430 Reasons for suspension of operating agreement prior to evidentiary hearing. If the department determines that its right, title to and interest in a vending facility is in eminent jeopardy due to the action, or lack of action of the vendor or licensee, the department may suspend the operating agreement of the vendor or licensee and remove the vendor or licensee from the vending facility, pending an informal resolution of the problem, a full evidentiary hearing, or the decision of an ad hoc arbitration panel. The department may suspend a vendor or licensee for the following reasons:

(1) Failure to provide the department with vendor financial reports, and to provide them within the established time frame.

(2) Failure to purchase vendor liability insurance for his/her vending facility as required in WAC 67-35-310 and/or failure to provide the department with proof of said insurance.

(3) The vendor ceases to meet any of the requirements to qualify as a licensee or vendor as required in chapter 67-35 WAC.

(4) The vendor or licensee abandons the vending facility. The vending facility shall be considered abandoned when no services are provided for three or more consecutive working days and/or when there is no designated employee in charge of the operation.

(5) When the department decides that the vending facility is not being operated in accordance with the law, applicable regulations, terms and conditions of the permit, and/or contract or the vendor agreement governing such vending facilities.

(6) Any willful or malicious destruction of, theft of, or any failure to exercise necessary care for the equipment furnished by the department or agency named in the permit and/or contract, inclusive of all repairs and maintenance as outlined in WAC 67-35-215 and 67-35-230.

(7) When the conduct of the vendor seriously interferes with any aspect of the operation of the vending facility. Such conduct includes, but is not limited to, the following:

(a) Fraud.

(b) Consumption of controlled substances and/or alcohol on the job.

(c) Inexcusable neglect of duties as a vendor.

(d) Embezzlement.

(e) Falsifying reports.

(f) Failure to submit to a medical eye examination when requested by the department.

(g) Any other actions or behavior which would seriously jeopardize the vending facility.

(h) Failure to pay taxes, fees, and/or debts arising from the operation of the vending facility.

[Statutory Authority: Chapter 74.18 RCW. 95-12-007, § 67-35-430, filed 5/25/95, effective 6/25/95; 89-21-046, § 67-35-430, filed 10/13/89, effective 11/13/89. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-430, filed 12/15/83. Formerly WAC 67-32-430.]

WAC 67-35-440 Suspension or termination of license—Other reasons. The license of a licensee or vendor may be suspended or terminated automatically for any of the following reasons:

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(1) Improvement of vision so that the licensee or vendor no longer meets the definition of blindness in WAC 67-35-030(2);

(2) Withdrawal of the licensee or vendor from the program upon written notification to the department.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-440, filed 12/15/83. Formerly WAC 67-32-440.]

WAC 67-35-450 Termination of license—Disuse. If after two years the licensee has not participated in any of the vending facility programs as identified in this chapter, the department will terminate the license after a thirty-day notice and/or after affording the licensee an opportunity for a full evidentiary hearing.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-450, filed 12/15/83. Formerly WAC 67-32-450.]

WAC 67-35-460 Relicensing. When a licensee's or vendor's license has been suspended by the department, he/she must meet the requirements in WAC 67-35-040, and must demonstrate competency in meeting the criteria of the training course through a period of evaluation or retraining as outlined in WAC 67-35-055. Upon completion of the training/evaluation the individual will take the challenge test as indicated in WAC 67-35-056.

[Statutory Authority: Chapter 74.18 RCW. 85-18-048 (Order 85-12), § 67-35-460, filed 8/30/85. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-460, filed 12/15/83. Formerly WAC 67-32-460.]

WAC 67-35-470 Administrative review. All licensees and vendors will be advised of their right to an administrative review on any decision or action, or inaction, taken by the department regarding service provided the licensee or vendor under this chapter, or request for such service. The request for an administrative review must be filed within thirty days of the date of the decision, action or inaction, or lack of service being appealed.

The request for an administrative review may be made verbally or in writing and may be filed in any office of the department. A verbal request will promptly be reduced to writing by the department staff member receiving the request, and shall include the name and address of the licensee or vendor requesting the administrative review, the name and address of the representative (if any) of the licensee or vendor; the date of the request for administrative review; the date of the decision or action, or inaction, being appealed; as precisely as possible the issue to be resolved by the administrative review; and the signature of the licensee or vendor, or his/her representative.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-470, filed 12/15/83. Formerly WAC 67-32-470.]

WAC 67-35-480 Administrative review—Who—When—Where. The administrative review will be conducted by the supervisor of the vending facility program unless the supervisor is a party to the decision, action or inaction being reviewed, in which case the supervisor's supervisor shall conduct the administrative review. The administrative review will be held and a decision rendered within fifteen days of receipt of a request for administrative review. The review will be held at a department office or in a location

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selected by the department in the county in which the licensee or vendor resides. Upon request of the vendor or licensee, the department may arrange and pay for transportation from the vendor's or licensee's home to the place of the hearing and return. The rate of payment will be at the current state allowance for state employees. Upon request of the vendor or licensee, the department may arrange for and pay a reader or other communication service to be available to the vendor or licensee for the purpose of reviewing materials directly pertinent to the administrative review. The reader or other communication service will be paid the current federal minimum wage. Upon request of the vendor, the department may arrange for and pay a relief operator during the vendor's absence from the vending facility for the purpose of administrative review. Within funds available the costs (1) for transportation, (2) for a reader or other communication service, and (3) for a relief operator shall be paid as management services as set forth in WAC 67-35-150. After the conclusion of the administrative review the person conducting the administrative review will certify his/her findings to the licensee or vendor in writing, specifying in detail the findings and decision of the administrative review, and informing the licensee or vendor of his/her right to request a full evidentiary hearing if dissatisfied with the decision.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-480, filed 12/15/83. Formerly WAC 67-32-480.]

WAC 67-35-490 Full evidentiary hearing. A licensee or vendor who desires a full evidentiary hearing will request such hearing within thirty days after receiving notice from the department of the findings and decision of the administrative review, or within thirty days of the department's failure to hold a fair hearing, or to render a decision in a fair hearing. The request for a full evidentiary hearing may be made verbally or in writing, and may be filed in any office of the department. If made verbally such request will promptly be reduced to writing as specified in WAC 67-35-470. A full evidentiary hearing shall be provided by the director of the Washington department of services for the blind, or his/her designee; and will be held within thirty days after the submission of the request. The full evidentiary hearing will be held in a location as specified in WAC 67-35-480.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-490, filed 12/15/83. Formerly WAC 67-32-490.]

WAC 67-35-500 Full evidentiary hearing—Right to information. Upon the filing of a request for a full evidentiary hearing the licensee or vendor shall be informed of all information in the case file and shall have the right of access to, and may examine any file or record owned by the department regarding his/her case which may contain information relevant and material to his/her grievance; except for documents and information disclosure of which is prohibited by federal or state law, and/or rules and regulations. This right of access to and examination of information shall be extended to the licensee's or vendor's representative, attorney and/or the blind vendors committee when functioning as an advocate for the licensee or vendor if so authorized in writing by the licensee or vendor or his/her legal guardian.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-500, filed 12/15/83. Formerly WAC 67-32-500.]

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WAC 67-35-510 Full evidentiary hearing—Transcript. A transcript of the testimony of the full evidentiary hearing will be made by the department, and a copy of this transcript shall be made available to the aggrieved party upon request.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-510, filed 12/15/83. Formerly WAC 67-32-510.]

WAC 67-35-520 Full evidentiary hearing—Decision in writing. Within ten working days after the conclusion of the full evidentiary hearing the director of the department or his/her designee will certify findings to the licensee or vendor in writing specifying in detail the findings and the decision reached, and informing the licensee or vendor of his/her right to request from the secretary of the United States Department of Education the convening of an ad hoc arbitration panel as provided for in 34 CFR, section 395.13 and section 395.6(e).

[Statutory Authority: Chapter 74.18 RCW. 85-18-048 (Order 85-12), § 67-35-520, filed 8/30/85. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-520, filed 12/15/83. Formerly WAC 67-32-520.]

WAC 67-35-525 Hearing officer—Certain purposes. For the purpose of the provisions of WAC 67-35-490, 67-35-520 and 67-35-070(7), the director will contract with a hearing officer who will be an attorney licensed to practice in the state of Washington or will contract with another state agency for the services of a hearing officer(s) who will be equally qualified. Within funds available, the hearing officer may be paid as a management service as set forth in WAC 67-35-150 when hearing the appeals of vendors and licensees.

[Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-525, filed 12/15/83. Formerly WAC 67-32-525.]

WAC 67-35-910 Facility operation agreement. Upon selection of a vendor to operate a business enterprise program facility, the department of services for the blind and the chosen vendor shall enter into a facility operation agreement. The text of this agreement is located in departmental policy and addresses the mutually agreed responsibilities of the vendor/operator and of the department. This agreement includes, but is not limited to, terms and conditions of facility operation such as vendor rent and insurance responsibilities, hours of operation, and conditions of termination of the agreement. Other terms or conditions of operation which are particular to a given facility shall be included as an addendum and shall be incorporated into the facility operation agreement.

[Statutory Authority: Chapter 74.18 RCW. 96-11-096, § 67-35-910, filed 5/16/96, effective 6/16/96; 95-01-066, § 67-35-910, filed 12/15/94, effective 1/15/95. Statutory Authority: Chapter 74.18 RCW. 89-21-046, § 67-35-910, filed 10/13/89, effective 11/13/89. Statutory Authority: 1983 c 194 § 18. 84-01-043 (Order 83-09), § 67-35-910, filed 12/15/83. Formerly WAC 67-32-910.]

Chapter 67-55 WAC CHILD AND FAMILY SERVICES

WAC

67-55-010
67-55-020
67-55-030
67-55-035

Purpose and description.
Referral for services.
Initial interview.
Eligibility for services.

67-55-040	Eligibility criteria.
67-55-050	Child and family services—Services provided.
67-55-060	Termination.

WAC 67-55-010 Purpose and description. The authority for child and family services are established in RCW 74.16.300, 74.16.400 and 74.16.490. The purpose of this program is to provide services to blind children and their families in order to facilitate the child's optimum participation in school and society.

[Statutory Authority: 1983 c 194 § 18. 84-01-044 (Order 83-10), § 67-55-010, filed 12/15/83. Formerly WAC 67-50-010.]

WAC 67-55-020 Referral for services. Referrals of children for child and family services shall be accepted from any and all sources.

[Statutory Authority: 1983 c 194 § 18. 84-01-044 (Order 83-10), § 67-55-020, filed 12/15/83. Formerly WAC 67-50-020.]

WAC 67-55-030 Initial interview. (1) The department shall interview all referrals to child and family services and/or their families as soon as possible following referral.

(2) At the initial interview the interviewer shall:

(a) Explain to the child and/or his family the nature and scope of available services as they relate to the child.

(b) Inform the child and/or his family of the right to confidentiality of information possessed by the department.

(c) Obtain any information necessary in determining eligibility for child and family services.

[Statutory Authority: 1983 c 194 § 18. 84-01-044 (Order 83-10), § 67-55-030, filed 12/15/83. Formerly WAC 67-50-030.]

WAC 67-55-035 Eligibility for services. The department shall make eligibility determination as to every referral for child and family services. The determination of eligibility shall be made as soon as possible after referral.

[Statutory Authority: 1983 c 194 § 18. 84-01-044 (Order 83-10), § 67-55-035, filed 12/15/83. Formerly WAC 67-50-035.]

WAC 67-55-040 Eligibility criteria. (1) To be eligible for child and family services an individual must be between the ages of birth through six years of age or fourteen through twenty-one years of age.

(2) Any child below the age of twenty-one years who has completed high school or has discontinued his/her formal education shall not be eligible for child and family services. Such children shall be referred for vocational rehabilitation or other appropriate resources.

(3) Eligibility for child and family services shall be dependent on documentation of a visual impairment including one or more of the following conditions:

(a) Legal blindness or visual handicap as they are customarily defined, either in terms of qualifying reduction in visual acuity and/or a qualifying reduction in visual fields.

(b) A visual impairment which is progressive in nature and can be expected to lead to blindness within a reasonable period of time.

(c) Reductions in both visual acuity and visual fields such that the effect is substantially that of legal blindness, or visual efficiency is so reduced as to have substantially the same effect as legal blindness.

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(d) A visual impairment which makes it impossible for a child to compete successfully in school and other childhood endeavors.

[Statutory Authority: Chapter 74.18 RCW. 99-05-005, § 67-55-040, filed 2/4/99, effective 3/7/99. Statutory Authority: 1983 c 194 § 18. 84-01-044 (Order 83-10), § 67-55-040, filed 12/15/83. Formerly WAC 67-50-040.]

WAC 67-55-050 Child and family services—Services provided. Services provided by child and family services include:

(1) Direct consultation with children and their families to provide developmental training, general counseling, needs assessment, and information regarding other available resources.

(2) Direct consultation and technical assistance to teachers, administrators and other educational personnel in order to facilitate adequate programs for blind and visually handicapped children.

(3) Direct consultation and technical assistance to other professionals who work with blind and visually handicapped children.

(4) Periodic follow-up throughout the child's term of eligibility to assure continuation of appropriate services.

(5) Continuity of case management and facilitation of transition to vocational rehabilitation at the appropriate time.

(6) Advocacy in all sectors of society for blind and visually handicapped children and/or their families to assure their rights to participate fully in the educational, vocational and social endeavors of society in general.

[Statutory Authority: 1983 c 194 § 18. 84-01-044 (Order 83-10), § 67-55-050, filed 12/15/83. Formerly WAC 67-50-050.]

WAC 67-55-060 Termination. A child shall be terminated from child and family services for the following reasons:

(1) The child has completed high school;

(2) The child has withdrawn from school prior to his/her senior year and does not intend to return;

(3) The child has reached the age of twenty-one years, or is between the ages of seven and fourteen years;

(4) The child's vision improves to a degree which no longer meets the criteria for eligibility;

(5) The child moves from the state of Washington; or

(6) The child and/or his/her family requests termination.

[Statutory Authority: Chapter 74.18 RCW. 99-05-005, § 67-55-060, filed 2/4/99, effective 3/7/99. Statutory Authority: 1983 c 194 § 18. 84-01-044 (Order 83-10), § 67-55-060, filed 12/15/83. Formerly WAC 67-50-060.]

Chapter 67-75 WAC

INDEPENDENT LIVING SERVICES

WAC

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(2007 Ed.)

WAC 67-75-010 Purpose and definition. The authority for independent living services is established in section 18, chapter 194, Laws of 1983. The purpose of this program is to provide independent living services designed to meet the current and future needs of blind/visually impaired individuals who currently are not feasible for vocational rehabilitation and who need services in order to function more independently in their living environment.

[Statutory Authority: Chapter 74.18 RCW. 99-05-005, § 67-75-010, filed 2/4/99, effective 3/7/99. Statutory Authority: 1983 c 194 § 18. 84-01-045 (Order 83-11), § 67-75-010, filed 12/15/83.]

WAC 67-75-020 Referral for services. (1) Referrals of blind/visually impaired individuals, blind/visually impaired individuals with significant other medical problems, and blind/visually impaired multiply disabled individuals shall be accepted from all sources.

(2) All referrals to the independent living program may be made either through the department of services for the blind or directly to one of the department's independent living contract providers.

(3) Department personnel may refer individuals to the independent living program as a result of reviewing current and past cases which have been found to be ineligible for vocational rehabilitation services.

[Statutory Authority: Chapter 74.18 RCW. 99-05-005, § 67-75-020, filed 2/4/99, effective 3/7/99. Statutory Authority: 1983 c 194 § 18. 84-01-045 (Order 83-11), § 67-75-020, filed 12/15/83.]

WAC 67-75-030 Initial interview. (1) All new referrals to the independent living program shall be interviewed as soon as possible following referral.

(2) At the initial interview the interviewer shall:

(a) Explain to the individual the nature and scope of available services as they relate to the individual's need;

(b) Inform the individual of the right to confidentiality of information possessed by the department;

(c) Obtain any information necessary in determining eligibility for independent living services.

[Statutory Authority: Chapter 74.18 RCW. 99-05-005, § 67-75-030, filed 2/4/99, effective 3/7/99. Statutory Authority: 1983 c 194 § 18. 84-01-045 (Order 83-11), § 67-75-030, filed 12/15/83.]

WAC 67-75-040 Eligibility for services—Criteria. (1) Eligibility requirements are applied without regard to sex, race, creed, color, marital status, sexual orientation, religion, or natural origin of the individual applying for service. No group of individuals is excluded from service solely on the basis of the type of disability or on the basis of age.

(2) No residence requirement is imposed which excludes from services any individual who is present in the state.

(3) Eligibility is based only upon:

(a) The presence of a severe physical or mental disability, which shall include a visual disability defined as follows:

(i) Legal blindness or visual impairment as they are customarily defined either in terms of a qualifying reduction in visual acuity and/or a qualifying reduction in visual field.

(ii) A visual impairment which is progressive in nature and can be expected to lead to blindness within a reasonable period of time.

(2007 Ed.)

(iii) Reduction in both visual acuity and visual fields is such that the effect is substantially that of legal blindness, or visual efficiency is reduced so as to have substantially the same effect as legal blindness.

(iv) A visual impairment which makes it impossible for the individual to perform successfully in one or more of life's functions;

(b) The presence of a severe limitation in ability to function independently in family or community or to engage or continue in employment; and

(c) A reasonable expectation that independent living rehabilitation services will significantly assist the individual to improve his or her ability to function independently in family or community or to engage or continue employment.

For purposes of determining an individual's eligibility for independent living services, improvement in ability to function independently in family or community refers to a demonstration in functional and behavioral terms of an individual's greater independence or maintenance of independence in such areas as self-care, activities of daily living, using public transportation, shopping, housekeeping, communicating, or living more independently.

[Statutory Authority: Chapter 74.18 RCW. 99-05-005, § 67-75-040, filed 2/4/99, effective 3/7/99; 92-09-090, § 67-75-040, filed 4/17/92, effective 5/18/92. Statutory Authority: 1983 c 194 § 18. 84-01-045 (Order 83-11), § 67-75-040, filed 12/15/83.]

WAC 67-75-042 Certification for decision of eligibility or ineligibility. (1) There will be a certification that the individual has met the basic eligibility criteria. The statement of eligibility will be dated and signed by the independent living service provider or the department's independent living program staff.

(2) Whenever it has been determined on the basis of clear evidence that an individual is ineligible for independent living services, there shall be a certification, dated and signed by the independent living service provider agency or the department's independent living program. Certifications of ineligibility shall indicate the reasons for the ineligibility determination and shall be made only after full consultation with the individual or, as appropriate, his or her parent, guardian, or other representative, or after giving a clear opportunity for this consultation.

[Statutory Authority: Chapter 74.18 RCW. 99-05-005, § 67-75-042, filed 2/4/99, effective 3/7/99; 92-09-090, § 67-75-042, filed 4/17/92, effective 5/18/92.]

WAC 67-75-044 Notice to applicant. (1) The individual shall be notified in writing of the action taken on a determination of ineligibility.

(2) The individual shall be informed of the department's procedure for administrative review and fair hearings and the services available through the client assistance program if he or she is dissatisfied with the department's decision.

(3) If the applicant was determined to be ineligible for independent living services, the certification shall clearly specify how he or she failed to meet the criteria of eligibility. The individual shall be notified in writing of the determination of ineligibility and of his or her rights and the means by which he or she may express and seek remedy for any dissatisfactions, including the department's procedures for admin-

istrative review and fair hearings and the services available through the client assistance program.

(4) If an applicant was determined ineligible, he or she shall be given a full opportunity to participate in the review and reconsideration of eligibility no later than twelve months after the determination was made. The review need not be conducted in situations where the individual refuses the review, the individual is no longer present in the state, or the individual's whereabouts is unknown.

[Statutory Authority: Chapter 74.18 RCW. 99-05-005, § 67-75-044, filed 2/4/99, effective 3/7/99; 92-09-090, § 67-75-044, filed 4/17/92, effective 5/18/92.]

WAC 67-75-050 Independent living services—Services provided. Services provided by the independent living program shall include:

- (1) Intake interview and counseling;
- (2) Needs assessment;
- (3) Specific skills teaching;
- (4) Referral to other resources for blind/visually impaired individuals;
- (5) Information and referral;
- (6) Advocacy in all sectors of society to maximize opportunities for access in social, recreational, medical/health care facilities.

[Statutory Authority: Chapter 74.18 RCW. 99-05-005, § 67-75-050, filed 2/4/99, effective 3/7/99. Statutory Authority: 1983 c 194 § 18. 84-01-045 (Order 83-11), § 67-75-050, filed 12/15/83.]

WAC 67-75-060 Termination of services. Independent living services shall be terminated when a client:

- (1) Has died.
- (2) Cannot be located by the department after reasonable efforts to do so.
- (3) Has been institutionalized under circumstances which preclude the provision of services for a substantial or indefinite period of time.
- (4) Has moved to another jurisdiction and the department has been unable either to continue provision of services or to refer the individual to an appropriate agency within the other jurisdiction.
- (5) Removes himself for consideration by declining to accept or utilize independent living services after all reasonable efforts have been expended to encourage participation.
- (6) Completes a program of services as planned.

[Statutory Authority: 1983 c 194 § 18. 84-01-045 (Order 83-11), § 67-75-060, filed 12/15/83.]

WAC 67-75-070 Administrative review. (1) Any client who feels aggrieved by, or is otherwise dissatisfied with, any decision or action by the department or its agents with regard to his or her independent living case may file a request with the department for, and shall thereupon receive, an administrative review by the director or his/her designee, or a fair hearing by an administrative law judge.

(2) Clients of the department's independent living program will utilize the administrative review policies and time frames of the department's vocational rehabilitation program, covered in VR WAC 67-25-560.

[Statutory Authority: Chapter 74.18 RCW. 92-09-090, § 67-75-070, filed 4/17/92, effective 5/18/92. Statutory Authority: 1983 c 194 § 18. 84-01-045 (Order 83-11), § 67-75-070, filed 12/15/83.]

WAC 67-75-075 Fair hearing. (1) Any client who feels aggrieved by or is otherwise dissatisfied with any decision or action by the department or its agents with regard to his or her independent living plan or is dissatisfied with the results of an administrative review may request from the department, and shall thereupon be granted, a fair hearing.

(2) Clients of the department's independent living program will utilize the administrative review policies and time frames of the department's vocational rehabilitation program, covered in VR WAC 67-25-560.

[Statutory Authority: Chapter 74.18 RCW. 92-09-090, § 67-75-075, filed 4/17/92, effective 5/18/92. Statutory Authority: 1983 c 194 § 18. 84-01-045 (Order 83-11), § 67-75-075, filed 12/15/83.]